



FOR \_\_\_\_\_  
 DATE TH 1-15 TIME 855 P.M.  
 FROM Russ FRASIER  
 FIRM \_\_\_\_\_  
 PHONE 503 - 347 - 2923  
 FAX AREA CODE NUMBER EXTENSION  
 MOBILE AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE EXTENSION COMPLETE  
RODRICK FRASIER  
G - 12658 AM  
G - 12195 PERMIT

SIGNED \_\_\_\_\_ FORM 4007 MADE IN U.S.A.

**MESSAGE**

**IMPORTANT MESSAGE**

FOR THUR 1999 DATE 9-23 TIME 1122 A.M.  
 M Russ FRASIER  
 OF CRIBB CRIBB  
 PHONE (503) - 347 - 2923  
 FAX MOBILE  
 MESSAGE UPDATE NO METER  
 AREA CODE 503 NUMBER 12658  
 EXTENSION X  
 WILL CALL AGAIN NO METER  
 CAME TO SEE YOU NO METER  
 WANTS TO SEE YOU NO METER

SIGNED F.P. WILSON ABC FORM 4006

Form A (690-9-77)

Application No. G12658

**NOTICE OF BEGINNING OF CONSTRUCTION**

I, RODRICK FRASIER, the holder of Permit No. G12195

appropriate the public waters of the state of Oregon, began the actual construction of the works described

begin on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
 Remarks: (THIS IS A REVISED COPY) CONSTRUCTION WAS BEGUN PRIOR TO 11-6  
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment required for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of JANUARY, 1997  
Rodrick Fraser II  
 (Address) Rt#1 Box 1519-N Bandon ORE, 97411

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

**RECEIVED**

JAN 23 1997

WATER RESOURCES DEPT. SALEM, OREGON

*Handwritten initials and scribbles*

FOR 2000  
 DATE FRI 5-19 TIME 9:09 P.M.  
 FROM JOHN TOUNGQUIST  
 FIRM \_\_\_\_\_  
 PHONE (541) - 672 - 5692  
 FAX AREA CODE NUMBER EXTENSION  
 MOBILE AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE  
Curious  
AM # G - 12658  
G - 12195  
OCT. 99  
 SIGNED F.P. FORM 4007 MADE IN U.S.A.

**MESSAGE**

G - 12195 PERMIT  
 SIGNED \_\_\_\_\_ FORM 4007 MADE IN U.S.A.

**MESSAGE**

**IMPORTANT MESSAGE**

FOR THEE 19499 DATE 9-23 TIME 11:22 P.M.  
 M Russ FRASIER  
 OF CRANBRIE  
 PHONE (541) - 347 - 2923  
 FAX AREA CODE NUMBER EXTENSION  
 MOBILE 541 12658  
 MESSAGE UPDATE NO MESSAGE  
 SIGNED F.P. WHEM ABC FORM 4006

PHONED	<input checked="" type="checkbox"/>
RETURNED YOUR CALL	
PLEASE CALL	<input checked="" type="checkbox"/>
WILL CALL AGAIN	
CAME TO SEE YOU	
WANTS TO SEE YOU	

Form A (690-9-77)

Application No. G12658

**NOTICE OF BEGINNING OF CONSTRUCTION**

I, Roderick Fraser, the holder of Permit No. G12195

appropriate the public waters of the state of Oregon, began the actual construction of the works described

herein on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Remarks: (THIS IS A REVISED COPY) CONSTRUCTION WAS BEGUN PRIOR TO 11-6-96  
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment

required for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as

authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of January, 1997

Roderick Fraser II  
 (Signature of Applicant)

Rt#1 Box 1519-N Bandon Ore, 97411  
 (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

JAN 23 1997

WATER RESOURCES DEPT. SALEM, OREGON

RECEIVED

*Handwritten initials and scribbles*



**Oregon Water Resources Department**  
**PERMIT CONDITION WATER-LEVEL REPORTING FORM**

RE: Required Water Level Report for a Well on Permit **G 12195** Certificate **0** Pod **1** Application **G 12658**

Listed on water right as: A WELL Well log ID (if any, in our records): **CURR 50151**  
**Well location:** In the SW quarter of the NW quarter of Section 32, Township 31S, Range 15W  
 1660 FEET SOUTH & 140 FEET EAST FROM NW CORNER, SECTION 32

Priority date: 9/18/1991

**RODRICK FRASER II**  
~~ROUTE 1 BOX 1519~~ **45965 Hwy 101**  
**BANDON OR 97411**

**RECEIVED**  
**APR 26 2004**  
 WATER RESOURCES DEPT  
 SALEM, OREGON

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.

**MEASUREMENT REPORT**  
 (Complete one form for each well.)

**Well Identification** (Provide as much of the following information as possible; correct any errors from our files):

Well not yet drilled as of date: \_\_\_\_\_  
 Original owner on well log: **RODRICK FRASER**  
 Well ID # (on tag attached to casing): **L** **07126** Startcard number (if listed on well log): **93106**  
 Well depth: **62.00** (ft) Casing diameter: **8** (in) Date drilled: **2/24/1997**  
 Owner's well name: **Rodr Rick Fraser II** Drilled by: **Jim Mack Sr Bandon Well + Pump**

When did water use begin under this permit from this well? Date: Month/Yr \_\_\_\_\_

Show all water rights listing this well:

Application number(s): \_\_\_\_\_  
 Permit number(s): \_\_\_\_\_  
 Certificate number(s): \_\_\_\_\_

**Measurement Details:**

Date of measurement: \_\_\_\_\_

Description of measuring point (e.g. 1 1/4" port pipe on north side): **1/2" Port on well seal**

Static water level above / below (circle one) measuring point: **9'** feet, or airline pressure \_\_\_\_\_ psi  
 Measuring point distance above / below (circle one) land surface: **2' 2"** feet, or airline length \_\_\_\_\_ feet  
 Static water level above / below (circle one) land surface: **6' 10"** feet

Shut-in pressure (if flowing artesian well): \_\_\_\_\_ psi

Method of measurement: E-tape  Airline \_\_\_\_\_ Other(specify): \_\_\_\_\_

Water-level status when measured: Static  Pumping \_\_\_\_\_ Rising \_\_\_\_\_ Flowing \_\_\_\_\_ Other \_\_\_\_\_

Length of time well was idle before measurement: **2 months**

Comments (use back or extra sheet if necessary): \_\_\_\_\_

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): **Jim Mack Sr.**

Signature of measurer: *Jim Mack Sr.*

Company: **Bandon Well + Pump Co**

License number (CWRE, RG, PE, WWC, Pump Installer): **1493**

Daytime phone number: **541-347-3178** Email address: **N/A**

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503- 378-8455 ext. 245. Return this Form to: OWRD, Ground Water/Hydrology Section, 158 12th St. NE, Salem, OR 97310-4172.

Additional forms can be obtained from our web sit at: <http://www.wrd.state.or.us> OWRD 2/19/2003 GW/KCW

Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top):

DATE	STATUS	METHOD	MP Height	WL BLS	MEASURED_BY	COMMENTS
04/11/2002	STATIC	ETAPE	2.17	6.83	JIM MACK SR	IDLE 1 MONTH
03/15/2001	STATIC	ETAPE	2.17	6.83	JIM MACK SR	IDLE +48 HRS.
03/27/1999	STATIC	ETAPE	1.66	19.58	JIM MACK SR	IDLE APP'ROX. 48 HRS.

AMENDED FINAL PROOF SURVEY MAP

IN THE NAME OF RODERICK FRASER

SECTION 32 , T 31 S, R 15 W, W.M.

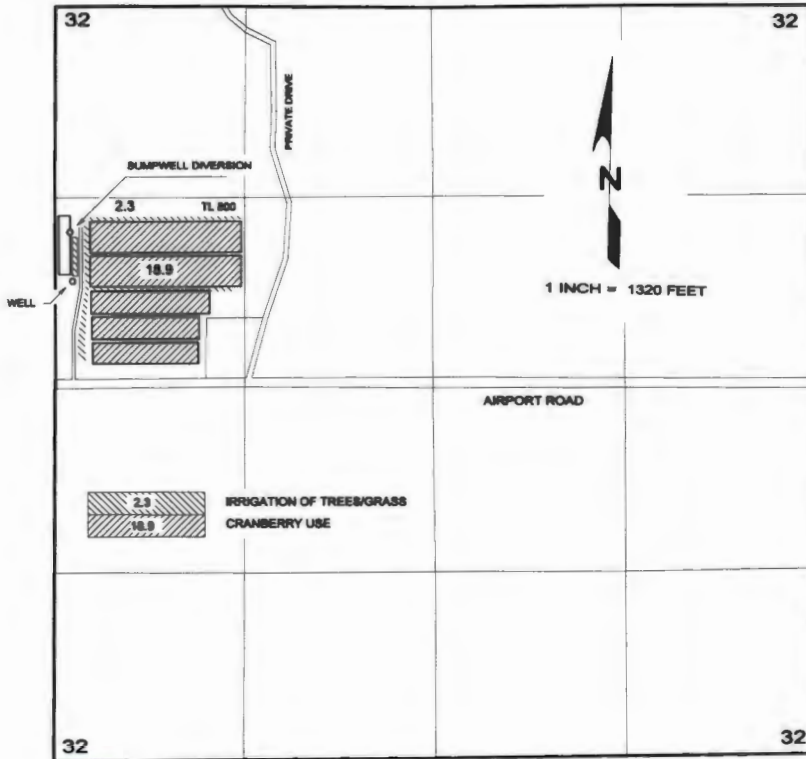
APPLICATION G - 12658

PERMIT G - 12195

RECEIVED

JUN 14 2000

WATER RESOURCES DEPT.  
OREGON



POINTS OF DIVERSION

DIVERSION	SOUTH	EAST	¼ ¼	SECTION
WELL	1,900 FEET	110 FEET	SW¼NW¼	32
SUMPWELL	1,550 FEET	90 FEET	SW¼NW¼	32

BOTH FROM THE NORTHWEST CORNER OF SECTION 32, AND WITHIN SECTION 32, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.

Certified Water Right Examiner  
# 054 WRE  
*James F. Gosson*  
James F. Gosson  
Nov. 19, 1987  
STATE OF OREGON

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT.  
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF  
PROPERTY OWNERSHIP BOUNDARY LINES.

M: Groundwater/Hydrology Section Meyer  
Reviewer's Name

JECT: Application G- 12658

PER THE South Coast Basin rules, one or more of the proposed POA's is within \_\_\_\_\_ mile of a surface water source and taps a groundwater source hydraulically connected to the surface water.

BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use

- a.  will, or } have the potential for substantial interference with the nearest surface water
- b.  will not } source, namely unnamed trib to Sixes River; or
- c.  will, if properly conditioned, adequately protect the surface water from interference:
  - i.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
  - iii.  The permit should be conditioned as indicated in item 4 below; or
- d.  will, with well reconstruction, adequately protect the surface water from substantial interference.

BASED UPON available data, I have determined that groundwater for the proposed use

- a.  will, or }
- b.  will not } likely be available in the amounts requested without injury to prior rights; or
- c.  can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
  - i.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
  - iii.  The permit should be conditioned as indicated in item 4 below.

- a.  THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
- b.  The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
- c.  The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
- d.  Well reconstruction is necessary to accomplish one or more of the above conditions.
- e.  One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6 12658

TWO WELLS

STATE OF OREGON  
 WATER RESOURCES DEPARTMENT  
 INTEROFFICE MEMO

TO: File G- 12658  
 From: Sarah C Meyer  
 Subject: Surface/Ground Water Considerations

The applicant seeks 3.77 cfs from two wells for cranberry  
operations on 25 acres

Township 31S Range 15 W Section 32  
 County Curry

FACTS	WELL #1	SUMP WELL#2	information
Near-by stream	<u>unnamed trib to Sixes River</u>		<u>Δ = 30'</u>
Distance from stream	<u>3000'</u>	<u>3000'</u>	
Depth of well	<u>60</u>	<u>18</u>	
Casing to	<u>60</u>		
Lined to			<i>no well logs</i>
Sealed to			
Perforated/screened			
Well tests			
Water found first unit?	<u>40</u>	<u>15</u>	
Water-bearing zones			
unit?			
Static water level date			
Information source			
General geology			
General hydrology			
Confined/Unconfined?			
Direct hydraulic conn.?	<u>YES</u>	NO	
Substantial Interference?	<u>YES</u>	NO	



**Oregon Water Resources Department  
PERMIT CONDITION WATER-LEVEL REPORTING FORM**

RE: Required Water Level Report for a Well on Permit **G 12195** Certificate **0** Pod **1** Application **G 12658**

Listed on water right as: **A WELL** Well log ID (if any, in our records): **CURR 50151** Priority date: **9/18/1991**  
**Well location:** In the SW quarter of the NW quarter of Section 32, Township 31S, Range 15W  
**1660 FEET SOUTH & 140 FEET EAST FROM NW CORNER, SECTION 32**

**RECEIVED**

**APR 18 2003**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

**RODRICK FRASER II  
ROUTE 1 BOX 1519  
BANDON OR 97411**

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. **Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements.** We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches). **All wells that have been constructed must be measured regardless of whether they are being used, in accordance with your permit.**

**MEASUREMENT REPORT**

(Complete one form for each well.)

**Well Identification** (Provide as much of the following information as possible; correct any errors from our files):

Well not yet drilled as of date: \_\_\_\_\_  
**Original owner on well log:** RODRICK FRASER  
 Well ID # (on tag attached to casing): L 07126 Startcard number (if listed on well log): 93106  
 Well depth: 62.00 (ft) Casing diameter: 8" (in) Date drilled: 2/24/1997  
 Owner's well name: Rodr Rick Fraser Drilled by: Jim Mack Sr

**When did water use begin under this permit from this well? Date:** Month/Yr \_\_\_\_\_

**Show all water rights listing this well:**

Application number(s): \_\_\_\_\_  
 Permit number(s): \_\_\_\_\_  
 Certificate number(s): \_\_\_\_\_

**Measurement Details:** \_\_\_\_\_ **Date of measurement:** \_\_\_\_\_

Description of measuring point (e.g. 1 1/4" port pipe on north side): 1/2" Port on well seal

Static water level above / below (circle one) measuring point: 7' 10" feet, or airline pressure \_\_\_\_\_ psi

Measuring point distance above / below (circle one) land surface: 2' 2" feet, or airline length \_\_\_\_\_ feet

Static water level above / below (circle one) land surface: 5' 8" feet

Shut-in pressure (if flowing artesian well): \_\_\_\_\_ psi

Method of measurement: E-tape  Airline \_\_\_\_\_ Other(specify): \_\_\_\_\_

Water-level status when measured: Static  Pumping \_\_\_\_\_ Rising \_\_\_\_\_ Flowing \_\_\_\_\_ Other \_\_\_\_\_

Length of time well was idle before measurement: 2 months

Comments (use back or extra sheet if necessary): \_\_\_\_\_

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): Jim Mack, Sr.

Signature of measurer: [Signature]

Company: Bandon Well + Septic Co. Inc.

License number (CWRE, RG, PE, WWC, Pump Installer): #1493

Daytime phone number: 541-347-3178 Email address: N/A

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503- 378-8455 ext. 245. **Return this Form to: OWRD, Ground Water/Hydrology Section, 158 12th St. NE, Salem, OR 97310-4172.**

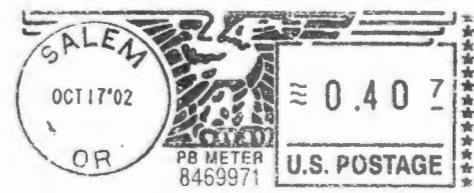
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**Water Level Data on File at OWRD for this well (last 3 measurements only, most recent date on top) :**

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09/27/1999	STATIC	ETAPE	1.66	19.68	JIM MACK SR	IDLE APPROX. 48 HRS.

RESOURCES DEPT.  
ERCE BUILDING  
h STREET NE  
, OR 97301-4172

PRESORTED  
FIRST CLASS



SS SERVICE REQUESTED

45965 Hwy led 1

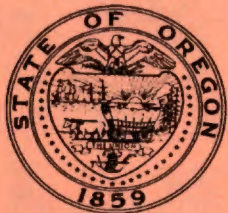
RODRICK FRASER II  
ROUTE BOX 1519N  
BANDON OR 97411

27808

612658

FIRST CLASS





App: G 12658

USER-ID 27808

Oregon Water Resources Department
October 1999 through September 2000
Annual Water Use - Monthly Quantities Form

1999 2000

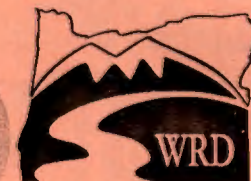


Table with columns for Facility, POD-ID, and months from October 1999 to September 2000, plus a TOTAL row. Includes handwritten data for SIXES RIVER wells and pumps.

RECEIVED

JAN 11 2001

WATER RESOURCES DEPT. SALEM, OREGON

\* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

\* P = PUMP

Describe method of measuring the water: used: FLOW METER. If use is irrigation, total number acres irrigated 25 ACRES

I certify this information is true and accurate to the best of my knowledge.

Signature: Rodrick Fraser, Title: OWNER, Reporting Entity: [blank], Date: 12/31/00

Name - Please Print: RODRICK FRASER



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

February 2, 1998

RODRICK FRASER II  
RT 1 BOX 1519 N  
BANDON OR 97411

REFERENCE: File G-12658

We have received your application for extension of the time limits to complete construction under Permit G-12195.

The application indicates reasonable diligence toward completion of the proposed project. The time limits to complete construction are extended to October 1, 1998. A copy of the order approving the extension is enclosed.

If you have any questions, please contact me at extension 272 (503)-378-3739, or toll-free 1-(800)-624-3199.

Sincerely,

Dallas Miller  
Natural Resource Specialist 2

DM:jh

enclosure

cc: John Drolet, Watermaster  
James Gosson, CWRE

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
MARION COUNTY

IN THE MATTER OF APPLICATION FOR )  
 EXTENSION OF TIME IN WHICH TO )  
 COMPLETE CONSTRUCTION WORK ) ORDER  
 AND/OR MAKE COMPLETE APPLICATION )  
 OF WATER UNDER CERTAIN PERMITS )

The owners of the following water permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and/or make complete application of water to beneficial use under their respective permits.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;

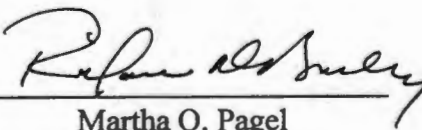
The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles them to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it is hereby ORDERED that extensions of time are granted as follows:

<u>PERMITTEE</u>	<u>APPL. NUMBER</u>	<u>PERMIT NUMBER</u>	<u>BASIN NUMBER</u>	<i>NEW TIME LIMITS TO:</i>	
				<u>COMPL CONST.</u>	<u>APPLY WATER</u>
W.J. Petersen	G-11901	G-11061	4		10-1-1997
Rodrick Fraser II	G-12658	G-12195	17	10-1-1998	
Christian & Deana Bussmann	G-12730	G-11599	17		10-1-1998
Lookingglass-Olalla Water Control District	59900	46786	16	10-1-1998	10-1-1998

Dated at Salem, Oregon this 29 day of January, 1998.

  
 Martha O. Pagel  
 DIRECTOR

## EXTENSION REVIEW

- 1-Was construction started by the beginning of construction date on the permit? **Yes**
- 2-What water right development steps has the permittee completed within the past year ?  
**Purchase, installation of pump, mainline, lateral lines, sprinklers, pumphouse, and electrical.**
- 3-What water right development steps has the permittee completed prior to last year? **Sump construction and pump installation.**
- 4-Can the water system be constructed and complete beneficial use of water be accomplished within the time period requested? **Includes statement that construction will be completed by 10/1/98.**
- 5-Are the permit conditions being met? **Yes, well log and reporting to GW.**
- 6-What percent of the total allowable water use under the permit does the current use represent?  
**0%**
- 7-What unforeseen events, if any, delayed development of water system and water use? **Rain and flooding**
- 8-Have there been any changes in the market for either water or power since permit was granted which affected development program under the permit? **No**
- 9-Has there been any change in demand for water or power since permit was granted? **No**
- 10-If extension request is denied, is current level of water use under permit feasible? **No**
- 11-Is there an alternative source of water available? **No**
- 12-Has use of water under the permit caused an adverse impact on surface/groundwater resource in the area? **No**
- 13-What has been the cost of the project? **\$250,000**
- 14-Was there a previous extension condition, if so, was it met? **No condition**

**Request extend B date from 10/1/97 to 10/1/98. Wells, pumps, pipeline, sprinklers, laterals purchased and installed. Water not yet used. Recommend extension, diligence shown, B date to 10/1/98.**

RECEIVED

SEP 18 1997

File No. G12658 WATER RESOURCES DEPT.  
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, RODRICK FRASER II  
Rt #1 Box 1519-N BANDON ORE. 97411 541-347-2923  
address city state zip phone

record owner of permit No. G12195, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 1998, and/or the time in which to

accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 19   , be extended to October 1, 19   .

I have accomplished the following described works and/or purchase and installation of equipment necessary to use of water under said permit.

(1) within past year I'VE PURCHASED ALL EQUIPMENT NECESSARY FOR IRRIGATION, THE PUMPS, PANELS, MAINLINE PIPE, LATERAL PIPE, VALVES, SPRINKLERS, DRAINS, SUCTION LINES, FOOT VALVES. I'VE INSTALLED ALL PUMPS, PANELS, MAINLINE SUCTIONS, I'VE BUILT THE PUMP HOUSE, STORAGE SHED. I'VE CLEARED ALL 30 ACRES AND PREPPED GROUND  
(2) prior to this past year FOR THE CONSTRUCTION OF BOGS, I WOULD OF HAD BOGS WE BUILT THE SUMP WELL AND DEEP WELL AND INSTALLED PUMP CONSTRUCTED, BUT WAS RAINED OUT SEPT 15+4

(3) and have accomplished beneficial use of water to the extent of (if for irrigation, state how many acres have been irrigated)

(4) unable to complete construction and/or application of water within the permit time limits because \_\_\_\_\_

Rodrick Fraser II 9/20/97  
signature date  
(% Russell Fraser)

MAIL APPLICATION AND STATUTORY FEE OF \$100 FOR EACH PERMIT TO:  
WATER RESOURCES DEPARTMENT  
158 12TH ST NE  
SALEM, OREGON 97310  
C:\WP51\FORMS\EXTFORM



1/20/98  
Per Russell Fraser

Cost of Product \$250,000

Not Completed because  
RAIN & weather

RODERICK FRASER II  
R+1 Box 1519-N  
BANDON OREGON  
97411

RECEIVED

OCT 29 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

October 26, 1997

Dallas Miller  
Natural Resource Specialist 2  
Water Resources Department  
158 12th Street NE  
Salem, Or 97310-0210

Dear Mr. Miller,

This letter is in response to your letter dated 9/25/97, concerning the new rules affecting extension of time limits under my permit G-12195, Reference G12658

You stated that if I must have an extension of time before March 1998, that you may be able to process this, providing I issue a statement that I can complete the project within one year.

I will have all of the acreage completed by October 1, 1998, with complete application of the water to the use.

Sincerely,



Roderick Fraser II



# Oregon

John A. Kitzhaber, M.D., Governor

September 25, 1997

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

RODERICK FRASER II  
RT 1 BOX 1519 N  
BANDON, OR 97411

Reference File G 12658, Permit G 12195

Dear Extension Applicant:

We have received your request for extension of time limits under your permit.

Because of action taken by the Oregon Attorney Generals Office the Water Resources Department is working on new administrative rules affecting the extension process. Anticipating this change in the rules, we will hold your application until the new rules are in effect. We feel that processing your request under the new rules may be to your advantage. We anticipate that the rules will be adopted in March 1998.

If you must have an extension of time before that date, we may be able to process it if you can provide a statement that you can complete the project within one year.

Your patience is appreciated and we will process your request as soon as possible. Enclosed is receipt 15944 for the \$100 fee submitted.

If you have questions please contact me at the address below or phone 1-800-624-3199 ext. 272.

Sincerely,

Dallas Miller  
Natural Resource Specialist 2

Watermaster Dist 19

JUN 14 2000

WATER RESOURCES DEPT.  
SALEM, OREGON**AMENDED CLAIM OF BENEFICIAL USE AND SITE REPORT****IN THE NAME OF RODRICK FRASER II****APPLICATION G-12658      PERMIT G-12195****SECTION 32, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.****GENERAL INFORMATION**

The methods used to determine the information contained in this document are as follows:

1. Examination of Permit G-12195,
2. Examination of Assesor Map 31-15-32,
3. Examination of U.S.G.S. Quadrangle Map (Sixes),
4. On-site survey, 25 Sep 1999 and 17 Mar 2000,
5. Interview with Russell Fraser, 25 Sep 1999.

**SOURCE**

A well and a sump well in the Sixes River Basin.

**USE**

Irrigation and cranberry operations; being irrigation on 2.3 acres of trees, shrubs and grass, and cranberry operations on 18.9 acres; all being within the SW 1/4 NW 1/4 Section 32, Township 31 South, Range 15 West, W.M., Curry County.

**WELL**

An eight inch drilled, steel-cased, metered well with a useable access port; located 1900 feet south and 110 feet east from the NW corner of Section 32. A ten horsepower submersible well pump diverts and delivers water via a 6" x 100' PVC pipeline through an elevation range of 58 feet to the sump well, thence to the place of use. Meter: 6" Global Water Meter #991155, totalizing in gallons X 100.

RECEIVED

JUN 14 2000

AMENDED CLAIM OF BENEFICIAL USE - FRASER PERMIT G-12195

WATER RESOURCES DEPT.  
SALEM, OREGON

CAPACITY OF THE WELL SYSTEM

$$\text{USING } Q_{\text{PUMP}} = \frac{(7.04) (HP)}{H_{\text{TOTAL}}}$$

WHEN

HP-10

$H_{\text{ELEVATION}} = 58 \text{ FT.}$

$H_{\text{FRICTION}} = 2 \text{ FT. (estimated)}$

$H_{\text{PRESSURE}} = 0$

$$Q_{\text{PUMP}} = \frac{(7.04) (10)}{58+2} = \frac{70.4}{60} = 1.17 \text{ cfs}$$

SUMP WELL

An excavated sump well, 80' x 410' x 18' deep. Two electric motors with centrifugal pumps deliver water to the place of use via 6" and 5" metered mainlines through an elevation range of minus five feet.

Motor #1: Baldor 25 horsepower  
Model #: JPM2516T  
Serial #: 31K061W639  
Volts: 220  
RPM: 3525

Pump #1: Berkeley Centrifugal  
Catalog #: B3PZL  
Serial #: 09708

Meter #1: Global Water Meter, 8"  
Serial #: 991154

Motor #2: Marathon 15 horsepower  
Model #: SVC21STTDV7024AG  
Serial #: M120  
Volts: 220  
RPM: 3480

Pump #2: Berkeley Centrifugal  
Catalog #: 1321 2TPM  
Serial #: M-600

Meter #2 Global Water Meter, 8"  
Serial #: 991153

RECEIVED

JUN 14 2000

AMENDED CLAIM OF BENEFICIAL USE - FRASER - PERMIT G-12195 WATER RESOURCES DEPT.  
SALEM, OREGON

**SUMP WELL DIVERSION**

The point of diversion from the sump well is located 1550 feet south and 90 feet east from the northwest corner of Section 32, being within the SW 1/4 NW 1/4 Section 32, Township 31 South, Range 15 West, W.M., Curry County.

**CAPACITY OF THE SUMP WELL SYSTEM**

$$Q_{25} = \frac{(6.61)(25)}{10 + (50)(2.31) + 20 \text{ (est)}} = \frac{165}{146} = 1.13 \text{ cfs}$$

$$Q_{15} = \frac{(6.61)(15)}{146} = \frac{99}{146} = 0.68 \text{ cfs}$$

$$Q_{10} = \frac{(7.04)(10)}{58 + 0 + 2} = \frac{(70.4)}{60} = 1.17 \text{ cfs}$$

$$\text{TOTAL CAPACITY} = Q_{25} + Q_{15} + Q_{10} = 1.13 + 0.68 + 1.17 = 2.98 \text{ cfs}$$

$$\text{TOTAL CAPACITY} < Q_{\text{PERMIT}} \text{ (2.98 cfs controls)}$$

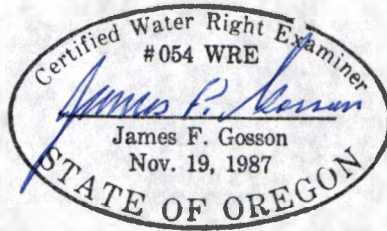
RECEIVED

JUN 14 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

CERTIFICATION

I, James F. Gosson, Certified Water Right Examiner #54, completed the Final Proof Survey of Permit G-12195 on 17 March, 2000, and hereby declare that the information contained in this report and on the accompanying Final Proof Survey is correct to the best of my knowledge.



I, Roderick Fraser, agree to the findings of James F. Gosson, Certified Water Right Examiner #54, and submit this site report and map as Claim of Beneficial Use of Permit G-12195.

Roderick Fraser  
Signature

6/10/2000  
Date

RECEIVED

SEP 29 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

CLAIM OF BENEFICIAL USE AND SITE REPORT

IN THE NAME OF RODRICK FRASER II

APPLICATION G-12658

PERMIT G-12195

SECTION 32, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

GENERAL INFORMATION

The methods used to determine the information contained in this document are:

1. Examination of Permit G-12195,
2. Examination of Assessor Map 31-15-32,
3. On-site survey,
4. Interview with

SOURCE

A well and a sump-well in the Sixes River Basin.

USE

Cranberry Operations.

POINT OF DIVERSION

The point of diversion is located

PLACE OF USE

DIVERSION WORKS AND DELIVERY SYSTEM

CAPACITY OF THE DELIVERY SYSTEM

Note: COBU is not  
signed by applicant &  
map is not on mylar.



**RECEIVED**

SEP 29 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

**CERTIFICATION**

I, James F. Gosson, Certified Water Right Examiner #54, completed the Final Proof Survey of Permit----- on-----, and declare that the information contained in this report and on the accompanying Final Proof Survey Map is correct to the best of my knowledge.

I, -----, agree to the findings of James F. Gosson, Certified Water Right Examiner #54, and submit this site report and map as my Claim of Beneficial Use of Permit-----.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

RECEIVED

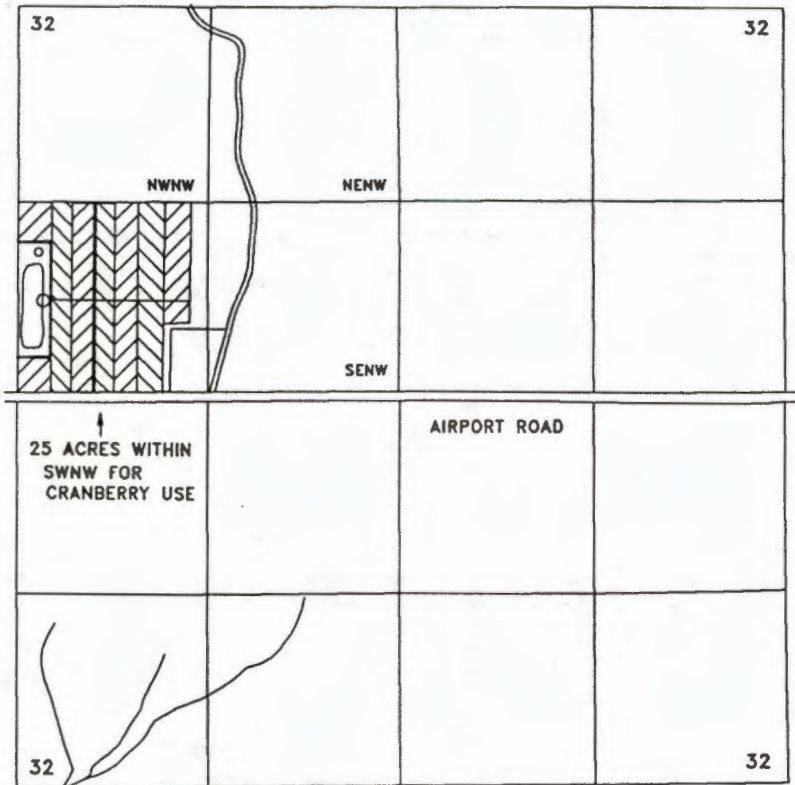
SEP 29 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

FINAL PROOF SURVEY MAP  
IN THE NAME OF **RODRICK FRASER II**

SECTION 32, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

APPLICATION G-12658      PERMIT G-12195



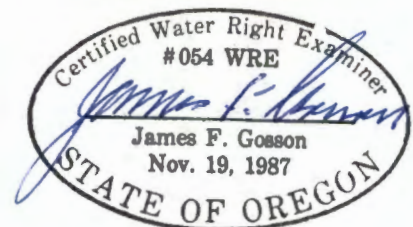
POINTS OF DIVERSION:

SUMP WELL:

WELL:

2010 FEET SOUTH AND 160 FEET EAST WITHIN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 32;  
1660 FEET SOUTH AND 140 FEET EAST WITHIN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 32;  
BOTH FROM THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., CURRY COUNTY.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.



G-12658

RECEIVED

SEP 29 1999

JAMES F. GOSSON  
WATER RESOURCES DEPT.  
SALEM, OREGON

580 South State Street  
Sutherlin, Oregon 97479

Telephone 541/459-2243

28 September, 1999

Oregon Water Resources Department  
Commerce Building  
158 12th Street N.E.  
Salem, Oregon 97310

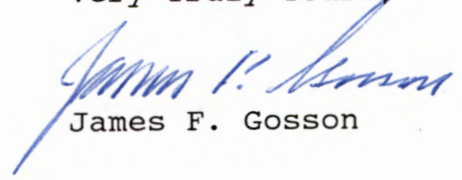
Attn: Donald Knauer

Re: Claim of Beneficial Use; Permit G-12195 (Fraser)

Dear Don,

Enclosed is the Claim of Beneficial Use. Please contact me if you have any questions or need additional information.

Very Truly Yours,

  
James F. Gosson

James F. Gosson  
580 S. State St.  
Sutherlin, Oregon 97479-9536



Oregon Water Resources Department  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97310

Attn: Donald Knauer

97310/0705



*file*

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RODRICK FRASER II  
ROUTE 1, BOX 1519  
BANDON, OREGON 97411

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12658

SOURCE OF WATER: A WELL AND A SUMP WITHIN THE SIXES RIVER BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 25.0 ACRES

MAXIMUM FLOW/VOLUME ALLOWED: 3.75 CUBIC FEET PER SECOND, BEING 1.0 CUBIC FOOT PER SECOND FROM A SUMP AND 2.75 CUBIC FEET PER SECOND FROM A WELL

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: SEPTEMBER 18, 1991

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 32, T 31 S, R 15 W, W.M.; WELL - 1660 FEET SOUTH AND 140 FEET EAST, SUMP - 2010 FEET SOUTH AND 160 FEET EAST, BOTH FROM NORTHWEST CORNER, SECTION 32

The amount of water used for CRANBERRY USES, together with amounts secured under any other rights existing for the same lands is limited as follows: diversion for temperature control of 0.15 cubic foot per second per acre; for flood harvesting or pest control, 0.05 cubic foot per second; for the irrigation of cranberries, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 25.0 ACRES  
SECTION 32  
TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Application G-12658 Water Resources Department

PERMIT G-12195

## Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**  
**Initial and Annual Measurements**

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun**  
**Seven Consecutive Annual Measurements**

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department.

The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

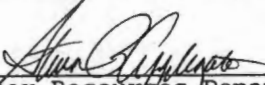
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued November 6, 1995

  
for Water Resources Department  
Martha O. Pagel  
Director

Application G-12658  
Basin 17  
DLB

Water Resources Department  
Volume 3 Sixes River & Misc  
MGMT.CODES 7CG, 7CR

PERMIT G-12195  
District 19



RECEIVED

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765) WATER RESOURCES DEPT.

FEB 27 1997 WELL I.D.# LO 7126

31-15-32

(START CARD) # 93106

Instructions for completing this report are on the reverse side of this form. CURR 50151

(1) OWNER: Well Number 487

Name Rodrick Fraser Address 320 N. MANZANITA City Orange State CA Zip 92667

(2) TYPE OF WORK: [X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD: [ ] Rotary Air [X] Rotary Mud [ ] Cable [ ] Auger [ ] Other

(4) PROPOSED USE: [ ] Domestic [ ] Community [ ] Industrial [X] Irrigation [ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [ ] Yes [X] No Depth of Completed Well 62.5 ft. Explosives used [ ] Yes [X] No Type Amount 700

Table with columns: HOLE, SEAL. Row 1: 12/4 0 64 Bentonite 0 26 23 SX

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [X] Other Poured from Surface Backfill placed from 26 ft. to 69 ft. Material Gravel placed from 26 ft. to 69 ft. Size of gravel 6/9

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Rows for Casing and Liner.

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Includes method: Attached to Casing, Type: Johnson V-wire, Material: Stainless Steel.

(8) WELL TESTS: Minimum testing time is 1 hour

Table for well tests with columns: Pump, Bailer, Air, Flowing Artesian, Yield gal/min, Drawdown, Drill stem at, Time. Data: 82, 5, 35', 1 hr; 82, 5, 35, 2 hrs.

Temperature of water 51° Depth Artesian Flow Found Was a water analysis done? [ ] Yes By whom Did any strata contain water not suitable for intended use? [ ] Too little [ ] Salty [ ] Muddy [ ] Odor [ ] Colored [ ] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Curry Latitude Longitude Township 31 N or S Range 15 E of W.W.M. Section 32 SW 1/4 NW 1/4 Tax Lot 800 Lot Block Subdivision Street Address of Well (or nearest address) Airport Rd. SIXES OR

(10) STATIC WATER LEVEL: 6'4" ft. below land surface. Date 2/24/97 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Table with columns: From, To, Estimated Flow Rate, SW. Row 1: 6'4" 51 +/-700 GPM 6' Specific Capacity 16.4 gal/ft of DD

(12) WELL LOG: Ground Elevation +/-300'

Table for well log with columns: Material, From, To, SWL. Rows: Topsoil, Sand w/ Sandy Clay Brown, Sandy Clay White, Sand w/ Plant mass, Gravel Fine-med w/, Sand CRS-Fine Gray Brown, Gravel CRS-Fine w/ Sand, CRS-Fine Gray + Wood, Gravel CRS-Fine w/ Sand, Coarse-Fine Gray, Gravel CRS-Fine Gray w/ Shell + Sand CRS-Fine, Wood w/ sandy clay, Gray + Gravel CRS-Fine.

Date started 2/10/97 Completed 2/24/97

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Bonden Well & Pump Co WWC Number Date

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Jim Malach MGWC WWC Number 1493 Date 2/25/97

NOTICE OF COMPLETION OF CONSTRUCTION

Rodrick Fraser II, the holder of Permit No. G-12195

to appropriate the public waters of the state of Oregon, completed the construction of the works described thereon the 28th day of SEPTEMBER, 1998

Remarks: I HAVE COMPLETED APPROXIMATELY 18 ACRES OF

CRANBERRY BOGS WHICH IS LESS CAPACITY THAN DESCRIBED IN THE PERMIT. If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

THIS IS ALL THE ACREAGE OF BOGS I'LL BE BUILDING. I HAVE COMPLETED CONSTRUCTION

IN WITNESS WHEREOF, I have hereunto set my hand this 28 day of SEPTEMBER, 1998

Rodrick Fraser II

Rt#1 Box 1579-N Bandon Ore, 97411

(Signature of Applicant)

(Address)

SEP 30 1998

RECEIVED WATER RESOURCES DEPT. SALEM, OREGON



# Oregon

John A. Kitzhaber, M.D., Governor

**Water Resources Department**

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

October 29, 1998

FILE#: G 12658

RODRICK FRASER II

RT 1 BOX 1519  
WANDON, OR 97411

Dear Water Right Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office last summer. Many permit holders held their extension requests until the new rules are in place. Because of the Attorney General's advice, extensions will no longer be limited to one year in length for most permits and five years for municipalities and irrigation districts. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted.

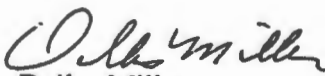
In order to help staff to complete the processing of your extension application, we will need you to fill out the enclosed form. The new rules require that the Department consider this information when determining whether or not to approve an extension request. It is important for you to complete a response to all items on the form. If additional space is needed for your responses, please use a separate sheet of paper.

Please send the completed form at your earliest convenience to the following address:

Dallas Miller  
Water Right Permit Extensions  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, Oregon 97310

I would be happy to send you a copy of the new permit extension rules, upon request. If you have any questions, please contact me at 1-800-624-3199 extension 272. If I am not available, you may contact either Pat Lee (ext. 276) or Dwight French (ext 268).

Sincerely,

  
Dallas Miller  
Water Rights Specialist

January 13, 1997

WATER  
RESOURCES  
DEPARTMENT

RODERICK FRASER II  
ROUTE 1 BOX 1519  
BANDON, OR 97411

REFERENCE: File G 12658

Dear Mr Roderick,

We received your notice of beginning of construction notice under permit G 12195.

The permit requires that the well is drilled or the sump in place by the beginning of construction date of 11/6/96. Your notice mentions only contracting of drilling of the well which is not sufficient unless the sump is in existence. If the sump is existing that will qualify as beginning of construction. Please contact me to let me know if the sump exists.

If the well has not been drilled or the sump in existence by 11/6/96 your permit will be cancelled.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,



Dallas Miller  
Water Rights Specialist

cc: John Drolet, Watermaster, District 19



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

NOTICE OF BEGINNING OF CONSTRUCTION

I, RODRICK FRASER II, the holder of Permit No. G12195

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 1st day of NOVEMBER, 1996

Remarks: WE'VE LINED OUT THE BOUNDARY LINES, STARTED AN ACCESS ROAD INTO PROPERTY TO LOG CLEAR AND BUILD WELLS. WE'VE CONTRACTED TO HAVE ONE WELL DRILLED AND PURCHASE A PORTION OF THE IRRIGATION PIPE FOR THE ACREAGE.  
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of DECEMBER, 1996

Rodrick Fraser II  
(Signature of Applicant)

Rt#1 Box 1519-N BANDON, ORE, 97411  
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

JAN - 9 1997

WATER RESOURCES DEPT.  
SALEM OREGON

Set up  
60 days DSM

Application No. G-12658  
Permit No. G12195

APPLICATION MAP

IN THE NAME OF RODRICK FRASER

SECTION 32, T31S, R15W, W.M.

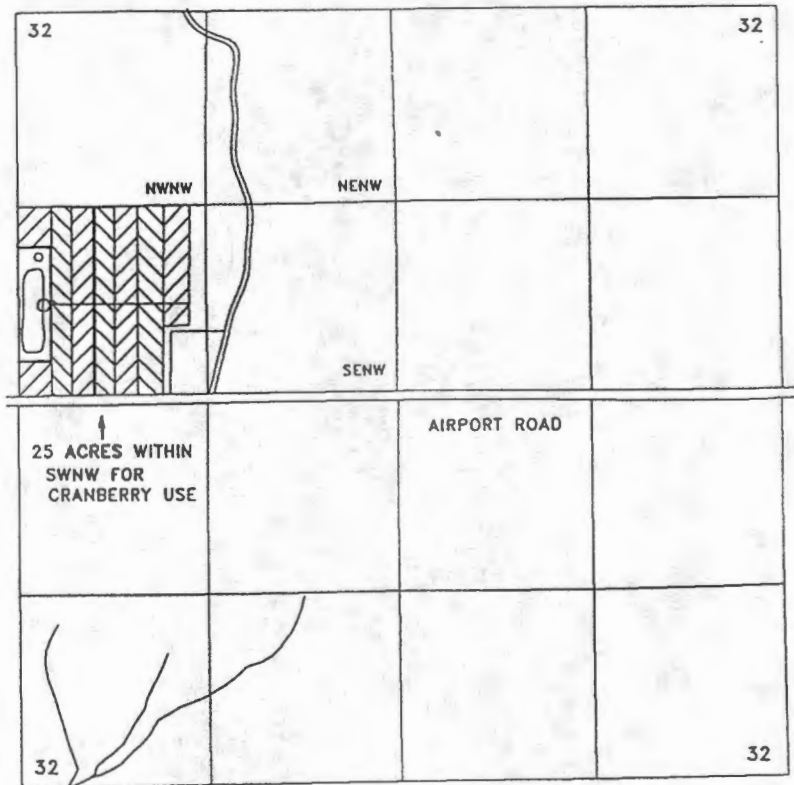
RECEIVED

SEP 18 1991

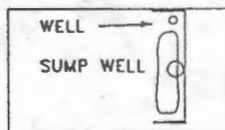
WATER RESOURCES DEPT.  
SALEM, OREGON



1 INCH = 1320 FEET



ENLARGEMENT OF  
POINTS OF  
DIVERSION



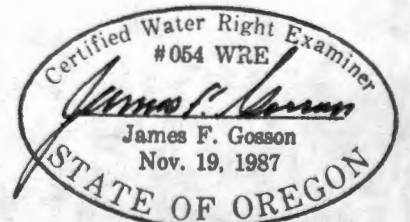
POINTS OF DIVERSION:

SUMP WELL:

WELL:

2010 FEET SOUTH AND 160 FEET EAST WITHIN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 32;  
1660 FEET SOUTH AND 140 FEET EAST WITHIN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 32;  
BOTH FROM THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., CURRY COUNTY.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.



STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of ) FINAL  
Groundwater Application ) ORDER  
G-12658 submitted by )  
RODRICK FRASER II

**FINDINGS OF FACT**

*Water Use Request*

1. RODRICK FRASER II requested use of 3.75 CUBIC FEET PER SECOND (CFS) of water, BEING 2.75 CFS FROM A WELL AND 1.0 CFS FROM A SUMP for CRANBERRY OPERATIONS ON 25.0 ACRES within the SOUTH COAST BASIN.
2. The area of proposed use is in CURRY COUNTY within SW 1/4 NW 1/4, SECTION 32, T 31 S, R 15 W, W.M.
3. The water delivery system is described by the applicant as an electric pump and plastic pipe from sources to place of use.
4. The request was made in Application G-12658 which was received by the Water Resources Department on SEPTEMBER 18, 1991.

*Affected Waters*

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are no existing water rights from this point of appropriation.

*Department Actions*

1. The application was determined to be complete and not defective.
2. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely an UNNAMED TRIBUTARY TO SIXES RIVER. Furthermore, the use, as conditioned, will avoid injury to existing rights or to the groundwater resource.
3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on November 4, 1994.
4. The technical review determined:
  - a. CRANBERRY OPERATIONS ON 25.0 ACRES is allowed under the South Coast Basin Program.



- b. The use is not prohibited by Statute.
- c. Water for the proposed use is available in the amounts requested for the period of 7 MONTHS, THOSE BEING NOVEMBER 1 THROUGH APRIL 30 AND JULY 1 THROUGH JULY 31.
- d. The use would not injure existing water rights.

5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in PERMIT G-12195.

6. A Proposed Final Order for this application was completed and copy of that review was mailed to the applicant on August 29, 1995.

#### *Assessment*

1. In proceeding with evaluation of Application G-12658, the following criteria were found to be relevant by the Department.

- a. The South Coast Basin Program (OAR Chapter 690, Division 517)
- b. The Curry County Comprehensive Plan and Zoning Ordinance
- c. Re-evaluation of groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
- d. The established rate and duty for the proposed use
- e. Pending, senior applications and existing water rights of record
- f. All comments received

#### **CONCLUSIONS OF LAW**

1. Based on continued evaluation following the previous review, the Department finds the determinations of the Proposed Final Order remain valid.

2. Based on comments and data received, the Department has determined that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source. The Department has further determined that, to protect the resource, an additional condition(s) on the proposed water use is necessary. The condition, as further described on PERMIT G-12195, would require annual static water level measuring and reporting.

3. The period of allowed use is **YEAR ROUND**.

4. The Department finds that no more than 3.75 CUBIC FEET PER SECOND would be necessary for the proposed use. The amount of water requested, 3.75 CUBIC FEET PER SECOND, is allowed for the proposed CRANBERRY OPERATIONS ON 25.0 ACRES.

5. Curry County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with

the Curry County Comprehensive Land Use Plan.

6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law and rule, would not result in injury to existing water users.

7. The proposed use complies with all other rules of the Commission.

8. Pursuant to Senate Bill 674 enacted by the 68th Oregon Legislative Assembly, and given findings listed above, a rebuttable presumption has been established that the proposed use of the water has met the tests necessary to establish that the use would not impair or be detrimental to the public interest if exercised in the months water is available and in the amount identified above.

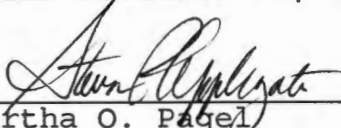
9. No protests were timely filed in response to the Proposed Final Order of August 29, 1995, and no significant issues or disputes are known to the Department at this time.

10. Therefore, the proposed use as conditioned, and described in PERMIT G-12195, would not impair or be detrimental to the public interest.

**ORDER**

**IT IS HEREBY ORDERED** that Application G-12658 in the name of RODRICK FRASER II be approved for CRANBERRY OPERATIONS as provided on PERMIT G-12195.

DATED November 6, 1995

*for*   
Martha O. Page  
Director  
Water Resources Department

**NOTICE:**

This Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

If this Final Order has modified the Department's prior findings or conditions, the applicant may request a contested case hearing within 14 days from the date of this order. Issues on which a contested case hearing may be requested and conducted are limited to issues based on modifications to the Proposed Final Order.

Requests for a contested case hearing must be made in proper form, submitting the information required under Section 11(6), Chapter 416, Oregon Laws, 1995.

Requests for a contested case hearing must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on November 20, 1995.

Only the applicant and any persons who timely filed a protest may appeal the provisions of this final order.

RECEIVED

OCT 25 1995  
WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon

October 17, 1995

WATER  
RESOURCES  
DEPARTMENT

5000  
RT  
LAW  
file

G-12658

Dear Applicant:

Your application file was recently reviewed. Before we can process your application further, you need to provide us with permit recording fees as described in previous correspondence (copy enclosed)

Please send the following:

Permit recording fees in the amount of \$ 50.00

To allow us to process your application further, please submit the requested items by November 17, 1995.

If you need further assistance please contact the Water Rights Section at the address listed below or phone (503)378-3739.

Sincerely,

  
Douglas L. Baer  
Senior Water Rights Technician

paid 10/20/95  
check # 5634 50.00



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	PROPOSED
Groundwater Application	)	FINAL
G-12658 submitted by	)	ORDER
RODRICK FRASER II		

**FINDINGS OF FACT**

*Water Use Request*

1. RODRICK FRASER II requested use of 3.75 CUBIC FEET PER SECOND (CFS) of water, BEING 2.75 CFS FROM A WELL AND 1.0 CFS FROM A SUMP for CRANBERRY OPERATIONS ON 25.0 ACRES within the SOUTH COAST BASIN.
2. The area of proposed use is in CURRY COUNTY within SW 1/4 NW 1/4, SECTION 32, T 31 S, R 15 W, W.M.
3. The water delivery system is described by the applicant as follows: The applicant proposes to use an electric pump and plastic pipe from sources to place of use.
4. The request was made in Application G-12658 which was received by the Water Resources Department on SEPTEMBER 18, 1991.

*Affected Waters*

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are no existing water rights from this point of appropriation.

*Department Actions*

1. The application was determined to be complete and not defective.
2. The Department has determined, based upon OAR 690-09, that the proposed groundwater use
  - a. will have the potential for substantial interference with the nearest surface water source, namely an UNNAMED TRIBUTARY TO SIXES RIVER.
  - b. will, if properly conditioned, avoid injury to existing rights or to the groundwater resource.
3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on November 4, 1994.

4. The technical review determined:
  - a. CRANBERRY OPERATIONS ON 25.0 ACRES is allowed under the South Coast Basin Program.
  - b. The use is not prohibited by Statute.
  - c. Water for the proposed use is available in the amounts requested for the period of 7 MONTHS, THOSE BEING NOVEMBER 1 THROUGH APRIL 30 AND JULY 1 THROUGH JULY 31.
  - d. The use would not injure existing water rights.
  
5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

*Assessment*

1. In proceeding with evaluation of Application G-12658, the following criteria were found to be relevant by the Department.
  - a. The South Coast Basin Program (OAR Chapter 690, Division 517)
  - b. The Curry County Comprehensive Plan and Zoning Ordinance
  - c. Re-evaluation of groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9)
  - d. The established rate and duty for the proposed use
  - e. Pending, senior applications and existing water rights of record
  - f. All comments received

**CONCLUSIONS OF LAW**

1. Based on continued evaluation following the previous review, the Department finds the determinations of the technical review require modification to correctly reflect the period that water would be allowed based on a re-evaluation of the department's initial finding of relative connection between groundwater and surface water.
  
2. Based on comments and data received, the Department has determined that the proposed groundwater use will not have potential for substantial interference with the nearest surface water source. The Department has further determined that, to protect the resource, an additional condition(s) on the proposed water use is necessary. The condition, as further described on the attached draft permit, would require annual static water level measuring and reporting.
  
3. The period of allowed use is **YEAR ROUND**.

4. The Department finds that no more than 3.75 CUBIC FEET PER SECOND, BEING 2.75 CFS FROM A WELL AND 1.0 CFS FROM A SUMP would be necessary for the proposed use. The amount of water requested, 3.75 CUBIC FEET PER SECOND, is allowed for the proposed CRANBERRY OPERATIONS ON 25.0 ACRES.

5. Curry County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Curry County Comprehensive Land Use Plan.

6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law and rule, would not result in injury to existing water users.

7. The proposed use complies with all other rules of the Commission.

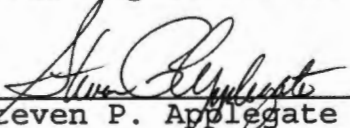
8. Pursuant to Senate Bill 674 enacted by the 68th Oregon Legislative Assembly, and given findings listed above, a rebuttable presumption has been established that the proposed use of the water has met the tests necessary to establish that the use would not impair or be detrimental to the public interest if exercised in the months water is available and in the amount identified above.

9. Therefore, the proposed use as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

**PROPOSED ORDER**

**IT IS PROPOSED** that Application G-12658 in the name of RODRICK FRASER II be approved for CRANBERRY OPERATIONS as provided on the attached draft permit.

**DATED August 29, 1995**

  
Steven P. Applegate  
Administrator  
Water Rights and Adjudications Division

**NOTICE:**

This proposed final order is issued by the Director pursuant to Senate Bill 674 enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by \$200 as specified in Senate Bill 674 enacted by the 68th Oregon Legislative Assembly.

To participate in any contested case proceedings or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by \$50 as specified in Senate Bill 674 enacted by the 68th Oregon Legislative Assembly.

**Protests and fees and requests for standing must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on October 13, 1995.**

Only the applicant and any persons who timely file a protest may participate in further proceedings before the Department or the Commission which deal with this Application.



DRAFT  
STATE OF OREGON  
COUNTY OF CURRY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RODRICK FRASER II  
ROUTE 1, BOX 1519  
BANDON, OREGON 97411

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12658

SOURCE OF WATER: A WELL AND A SUMP

TRIBUTARY OF: UNNAMED TRIBUTARY OF SIXES RIVER

PURPOSE OR USE: CRANBERRY OPERATIONS ON 25.0 ACRES

MAXIMUM FLOW/VOLUME ALLOWED: 3.75 CUBIC FEET PER SECOND, BEING 1.0 CUBIC FOOT PER SECOND FROM A SUMP AND 2.75 CUBIC FEET PER SECOND FROM A WELL

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: SEPTEMBER 18, 1991

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 32, T 31 S, R 15 W, W.M.; WELL - 1660 FEET SOUTH AND 140 FEET EAST, SUMP - 2010 FEET SOUTH AND 160 FEET EAST, BOTH FROM NORTHWEST CORNER, SECTION 32

The amount of water used for CRANBERRY USES, together with amounts secured under any other rights existing for the same lands is limited as follows: diversion for temperature control of 0.15 cubic foot per second per acre; for flood harvesting or pest control, 0.05 cubic foot per second; for the irrigation of cranberries, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 25.0 ACRES  
SECTION 32  
TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

## Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place****Initial and Annual Measurements**

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun****Seven Consecutive Annual Measurements**

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared.

Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a

usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued \_\_\_\_\_, 199\_

**DRAFT**

Water Resources Department  
Martha O. Pagel  
Director

DRAFT

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PETER W. SCHOENINGH JR.  
ROUTE 1 BOX 115A  
HAINES, OREGON 97833

503-856-3777

to use the waters of A SUMP in the LITTLE MUDDY CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 147.0 ACRES.

This permit is issued approving Application G-12564. The date of priority is JUNE 10, 1991. The use is limited to not more than 1.84 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The sump is located as follows:

SW 1/4 NW 1/4, SECTION 18, T 7 S, R 39 E, W.M.; 2160 FEET SOUTH AND 1430 FEET WEST FROM N 1/4 CORNER, SECTION 18.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

SW 1/4 NW 1/4	3.0 ACRES
NW 1/4 SW 1/4	8.0 ACRES
SECTION 17	
NE 1/4 NE 1/4	8.0 ACRES
NW 1/4 NE 1/4	17.0 ACRES
SW 1/4 NE 1/4	30.0 ACRES
SE 1/4 NE 1/4	37.0 ACRES
SW 1/4 NW 1/4	5.0 ACRES
NE 1/4 SW 1/4	22.0 ACRES
NE 1/4 SE 1/4	16.0 ACRES
NW 1/4 SE 1/4	1.0 ACRE
SECTION 18	
TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.	

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

DRAFT

PAGE TWO

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1993. Complete application of the water shall be made on or before October 1, 1994.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date,.

---

Water Resources Department  
William H. Young  
Director

STATE OF OREGON INTEROFFICE MEMO  
WATER RESOURCES DEPARTMENT

DATE : August 11, 1995

TO: G-12658

FROM: Sarah Gates

SUBJECT: Objection

Objection relative to the substantial interference with surface water is valid. Sump and well are developing water from an unconfined aquifer and are in hydrologic connection with the nearby stream. However, the distance between the stream and the points of diversion are far enough apart that substantial interference can not be assumed.

TO: Water Rights Section 8/11, 1995  
FROM: Groundwater/Hydrology Section Gates  
SUBJECT: Application G- 12658  
Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

- 1.  PER THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_) and taps a groundwater source hydraulically connected to the surface water.  
*N/A*
- 2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. \_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - b.  will not \_\_\_\_\_ surface water source, namely unnamed trib. to Sixes River; or
  - c. \_\_\_ will if properly conditioned, adequately protect the surface water from interference:
    - i. \_\_\_ The permit should contain condition #(s) \_\_\_\_\_;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
  - d. \_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

- 3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a. \_\_\_ will, or \_\_\_\_\_ likely be available in the amounts requested without injury to prior rights
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i.  The permit should contain condition #(s) 7C; March
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
- 4.
  - a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Well Construction Considerations on Reverse Side)



WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

DATE: August 9, 1995

TO: Fred Lissner  
Groundwater/Hydrology Section

FROM: Bernadette Williams *BW*  
Water Rights Section

SUBJECT: Hydraulic Connection Objections: G-12658

We have received objections to the department's initial finding of relative connection between groundwater and surface water for application G-12658. The letter of objection is dated January 10, 1995 and is located at the front of file G-12658.

Please review the objection, re-analyze the data (if necessary) and send back to me within 10 working days. If for some reason this timeline cannot be met, please let me know. Thank you.

9/23

Water Rights Section 10/18, 1991

COM: Groundwater/Hydrology Section Meyer  
Reviewer's Name

SUBJECT: Application G- 12658

*Superseded*

PER THE South Coast Basin rules, one or more of the proposed POA's is within \_\_\_\_\_ mile of a surface water source and taps a groundwater source hydraulically connected to the surface water.

N/A

BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use

- a.  will, or } have the potential for substantial interference with the nearest surface water
- b.  will not } source, namely unnamed trib to Sixes River; or
- c.  will, if properly conditioned, adequately protect the surface water from interference:
  - i.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
  - iii.  The permit should be conditioned as indicated in item 4 below; or
- d.  will, with well reconstruction, adequately protect the surface water from substantial interference.

BASED UPON available data, I have determined that groundwater for the proposed use

- a.  will, or }
- b.  will not } likely be available in the amounts requested without injury to prior rights; or
- c.  can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
  - i.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
  - iii.  The permit should be conditioned as indicated in item 4 below.

- a.  THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
- b.  The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
- c.  The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
- d.  Well reconstruction is necessary to accomplish one or more of the above conditions.
- e.  One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

**THE WELL** which is the point of appropriation for this application does not meet current well construction standards based upon:

- a.  review of the well log;
- b.  field inspection by \_\_\_\_\_;
- c.  report of CWRE \_\_\_\_\_;
- d.  other: (specify) \_\_\_\_\_

**THE WELL** construction deficiency:

- a.  constitutes a health threat under Division 200 rules;
- b.  commingles water from more than one groundwater reservoir;
- c.  permits the loss of artesian head;
- d.  permits the de-watering of one or more groundwater reservoirs;
- e.  other: (specify) \_\_\_\_\_

**THE WELL** construction deficiency is described as follows: \_\_\_\_\_

- THE WELL**
- a.  was, or } constructed according to the standards in effect at the time of
  - b.  was not } original construction or most recent modification.
  - c.  I don't know if it met standards at the time of construction.

RECOMMENDATION:

I recommend including the following condition in the permit:

"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."

I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.

REFER this review to Enforcement Section for concurrence.

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

\_\_\_\_\_, 1991.

(Signature)

do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: \_\_\_\_\_

\_\_\_\_\_, 1991.

(Signature)

NOVEMBER 4, 1994

RODERICK FRASER 11  
ROUTE 1, BOX 1519  
BANDON, OREGON 97411

WATER  
RESOURCES  
DEPARTMENT

Reference: File G 12658

Dear Applicant:

The Water Resources Department has finished the first step of its analysis of your application. Enclosed is a copy of this first report, which is called the Report of Technical Review.

The technical review is the Department's legal and scientific analysis of the application, including a calculation of the expected availability of water for your proposed use, an analysis of whether the use would conflict with other existing water rights, and if the use is compatible with the Department's river basin programs and local land use plans. Step two, is the 60-day public review period.

In the case of your application, the Technical Review was satisfactory, and it concluded that water would be available for this use for the time period described in the permit conditions of the attached Report. The Report also includes other conditions which may be placed in the water right permit to protect other water users, the public or fish and wildlife resources.

The Report of Technical Review is only the first step of the review process and does not authorize you to construct a water system or to use the public waters. The Report does not represent any commitment by the Department ultimately to approve your application. Before a permit may be granted, the Department must complete a public interest review.

In this second step of the review process, state regulations require that other water users and the general public be given an opportunity to object to your proposed water use. You also may object to any of the Department's findings or proposed permit conditions contained in the technical report. If you wish to object, you must file your objection with the Department in writing by 5 p.m. on or before **JANUARY 12, 1995**. Interested parties must also submit their objections before the same deadline.

Please review the enclosed informational sheet which describes the appeals process and the steps that must be taken by any party objecting to your Report of Technical Review or by parties wishing to protest issuance of the permit.



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

## GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will have the potential to cause substantial interference with surface water.

## CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are no existing water rights appurtenant to the lands described in the application.

## SURFACE WATER AVAILABILITY

Water is likely available in excess of needs for all existing rights and scenic waterway needs 50% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

## REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 3.75 CFS is likely available for 7 months.

Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

## **THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.**

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

## PROPOSED PERMIT CONDITIONS

Application: G 12658

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: ANY TIME DURING YEAR EXCEPT MONTHS OF MAY, JUNE, AUGUST, SEPTEMBER AND OCTOBER.
3. Rate of use: 3.75 CUBIC FEET PER SECOND, BEING 1 CFS SUMP AND 2.75 CFS WELL
4. Water use development requirements:
  - A. Begin construction by (one year from issuance of permit).
  - B. Complete construction by October 1, 1996.
  - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
10. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
11. The amount of water used for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands is limited as follows: diversion for temperature control of 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cfs per second per acre; for the irrigation of **cranberries**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre feet for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.

Application No. 6-12658

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SEP 14 1981

State of Oregon  
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.  
SALEM, ORE 97301

# Application for a Permit to Appropriate Ground Water

Applicant(s) Rodrick Fraser <sup>II</sup>  
(Please print or type - use dark ink)

Mailing Address: Route 1 Box 1519  
Bandon Oregon 97411 503/347-2923  
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): \_\_\_\_\_  
One well and one sump well

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 1900 feet  
Elevation difference between streambed and development: 40 feet

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 6" or 8" sump well 150 ft x 600 ft Depth in feet: 18 ft  
60 ft  
Type and size of well casing: well - steel No. of feet: 60 ft  
Estimated depth to water: sump well - 15 ft; well - 40 ft  
Type of access port or measuring device: well: port in seal  
Wells to be drilled by: unknown  
Address: \_\_\_\_\_

If the water well is flowing artesian, describe your water control and conservation works: \_\_\_\_\_  
N/A

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 3.75 cubic feet per second, OR 1683 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: \_\_\_\_\_  
sump well: 1 cfs, well: 2.75 cfs



3. **INTENDED USE(s) OF WATER:** cranberry use

*If for more than one use, give the quantity of water from each source for each use;* \_\_\_\_\_

*If for DOMESTIC use, state the number of households to be supplied;* \_\_\_\_\_

*If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)*

*If for MINING use, state the nature (gold, silver, etc.) of the mines to be served;* \_\_\_\_\_

*If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;*

Irrigation \_\_\_\_\_  
Other (describe) cranberry use  
\_\_\_\_\_  
\_\_\_\_\_

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** *Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).*

Electric pump and plastic pipe from sources to place of use

5. **PROJECT SCHEDULE:** *(List month and year)*

*Proposed date construction work will begin* October 1, 1992

*Proposed date construction work will be completed* October 1, 1993

*Proposed date water use will be completed* October 1, 1997

**NOTE:** *A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.*

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

           Applicant       CWRE                 Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

           Applicant       CWRE                 Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

X       X 9.11.91  
Signature of Applicant      Date

\_\_\_\_\_  
Signature of Co-Applicant, if any      Date

-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

-----  
-----  
In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 18<sup>th</sup> day of September, 1991, at 8 o'clock, a M.

APPLICATION NO: 6-12658

**M. JOHN YOUNGQUIST**  
WATER RESOURCES CONSULTANT

827 SE MOSHER  
ROSEBURG, OREGON 97470  
PHONE/FAX: (503) 672-5692

PROJECT MANAGEMENT

PERMITS/LICENSING

RESEARCH

PLANNING

January 10, 1995

Oregon Water Resources Department  
158 12th Street, NE  
Salem, Oregon 97310

Attention: Dallas Miller, Water Rights Specialist  
Water Rights Division

Reference: File No. G 12658  
Objection to the Technical Review

Dear Mr. Miller:

In response to the Satisfactory report of Technical Review for Water Use Permit(s) applicable to application G 12658, the applicant objects to the permit conditions and technical review conclusions for the following reasons:

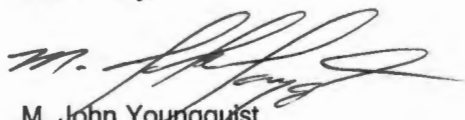
1. The restricted use is based on the presumption of the "potential to cause substantial" interference with surface water. Please provide the rationale that the applicants use would have the potential to cause substantial interference with surface water. The ground water sources are in excess of a ¼ mile from a surface water source, therefore, there should be minimal surface water interference, if any.

Please provide information leading to your conclusion that there is the potential to cause substantial interference with surface water.

2. The applicant is willing to reduce his rate of use to eliminate the potential for substantial interference. It would be helpful if the Department would indicate what level of ground water withdrawal is acceptable to remove the potential for substantial interference with surface water.
3. The Curry County Comprehensive Plan has designated cranberries as a "special" crop for Northern Curry County. It is in the public interest to encourage development of cranberries in this area in accordance with ORS 537.170 (5) (a,b,d and e).

If a full season supply cannot be approved by the Water Resources Department or if the applicant cannot discuss his application with Department staff, the applicant desires to participate in alternative dispute resolution (OAR 690-11-180) with the Department in an attempt to resolve the issues.

Yours truly,



M. John Youngquist  
for: Russell Fraser

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Jan 17, 1995

WATER RESOURCES DEP  
SALEM, OREGON

# Hawk Fields

Russell and Patti Fraser  
Rt. 1 Box 1519-N • Bandon, OR 97411  
(503) 347-2923



To: WATER RESOURCES DEPARTMENT.

I GIVE JOHN YOUNGQUIST PERMISSION TO  
ACT AS AGENT ON MY BEHALF TO FILE  
ON PERMIT G 12658.

RUSSELL S. FRASER  
Russell S Fraser  
(AGENT FOR RODRICK FRASER)

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

July 27, 1994

To: Dwight French

From: Michael Mattick *mm*

Subject: Fees for cranberry operations in South Coast

At our meeting yesterday, I was assigned to write a memo reflecting our understanding of the appropriate permit recording fees for cranberry operations and irrigation in the South Coast.

My understanding was that this memo would serve as something to refine after additional consideration.

The question is -

Does cranberry operations include irrigation as an integral component (one use), or does a cranberry operations use require that an irrigation right exist on the same land (necessitating two uses and two permit recording fees)?

Our conclusion -

Both. If the applicant does not specify irrigation as a use on the application, cranberry operations includes irrigation as a component and one fee is charged; but, we will charge two fees if the application lists two uses, cranberry operations and irrigation.

I ~~am~~ will use this as policy until told otherwise. I am not comfortable with it, but will not debate it here. I believe it should be one use, one fee. Please let me know if you want arguments for this position.

Lastly, there is a related question regarding nursery operations, agriculture use and irrigation in the South Coast.

*This represents our current position.  
We can explain options in the 1056 letter if appropriate.*

*Dwight*

C:\CRANB.MJM

# WaterWatch

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WATER RESOURCES DEPT.  
SALEM, OREGON

**Delivered via Regular Mail**

December 21, 1994

Oregon Water Resources Department  
Water Rights Section  
158 12th NE  
Salem, Oregon 97310

Re:       Objection to Technical Reports for:  
          G12658, Fraser, Cranberry Operations, Sixes River  
          G12660, Blanco Bogs, Cranberry Operations, Sixes River  
          R71873, Blanco Bogs, Storage for Cranberry Operations, Sixes River  
          S71874, Blanco Bogs, Cranberry Operations, Sixes River  
          South Coast

These applications are just a few of the many pending applications requesting water for cranberry operations and irrigation in the South Coast Basin. The cumulative impacts of these proposed uses are of great concern to WaterWatch.

The analysis contained in the technical reports reveals that little information is known about the hydrology of the water system in this area. Because of our concerns about protection of the resource from the cumulative effects of these proposed developments and our growing concerns about the capacity of the resource to accommodate further expansion of the cranberry industry, we request that these applications be denied.

In addition, we submit the following objections pursuant to OAR 690-11-170:

## **The Technical Reports are Defective**

The technical reports fail to contain many of the elements and evaluations required in OAR 690-11-160(1).

## **The Water Availability Analyses in the Technical Reports are Defective**

●The analyses failed to take into account existing water rights of record. It is unclear from the technical reports to what extent the water availability analysis takes into account upstream water rights. As we understand it, water rights are taken into account either by assuming the streamflow data reflects the amount of use or by using estimates of consumptive use. Both methods fail to give adequate consideration to rights-of-record. Failure to account for future increases in water

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SALEM, OREGON

use pursuant to rights of record results in an over-estimation of water availability and over-allocation of the resource. This is contrary to the statewide Water Allocation Policy. OAR 690-400-010.

● The technical report fails to contain any analysis of water availability, contrary to OAR 690-11.

● There has been no review of the cumulative effects of these and other pending applications on the resources and flows in the Basin. Failure to ensure that these and other proposed uses for this area do not impair the public's interest in the wetlands, fish and wildlife which rely on surface and ground water is contrary to the statewide Allocation Policy. This policy prohibits the overallocation of ground and surface water. OAR 690-410-070. The policy requires that new out-of-stream applications be conditioned to protect public uses. OAR 690-410-070(2)(h). See also Instream Flow Protection policy OAR 690-410-030 and the Groundwater Management policy OAR 690-410-010.

#### **The Uses As Proposed are Not in the Public Interest**

The proposed uses fail to pass the public interest considerations in ORS 537.170(5) and the policies of Oregon's water laws including ORS 468B.155 and 468B.015. They also fail to pass the public interest considerations in ORS 537.620 and the policies of the Groundwater Act ORS 537.525(3), (6), (9) and (10). *See also*, OAR 690-11-195(3)(d), (4)(a), (4)(c)(A), (4)(d)(A), (4)(d)(B), (4)(e), and (4)(f). The proposed uses will not be supported by existing surface water supplies and will deplete flows needed to for the New River system.

- 1. The proposed uses are not in the public interest because they will deplete surface waters which provide habitat for public instream and riparian area uses.**

The South Coast Basin plan states:

Income from water-related recreation is a major contributor to the economy of the South Coast Basin. Finding 39.

The natural lakes, storage reservoirs and free-flowing streams support part of the water-based recreation use. Finding 40.

The water resources, wetlands and associated habitat are critical to the subsistence and propagation of wildlife in the Basin. Finding 42.

Reduction in surface water contribution to wetlands will decrease contributions to existing wetlands, decrease inflows into the lake and hinder or destroy the filtering



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SALEM, OREGON

capacity and other functions of the wetlands. Surface water in this area is vital to the maintenance of lake levels, surface water flows, wetlands and the protection of public uses of water including wildlife, recreation and fish.

The proposed uses propose to divert water from Sixes River and from groundwater resources that are hydraulically connected to the surface waters. This river supports steelhead, coho and chinook. Coastal coho populations, which utilize this stream, have been petitioned for listing under the federal Endangered Species Act. Coastal stocks of fall chinook and coastal cutthroat trout are identified by the state as species of concern. This creek supplies important habitat for these species.

Resident and anadromous fish species which rely on coastal streams are recognized in the Commission's South Coast Basin Program as "significant" to the State of Oregon. Finding 43, 44. The basin program also recognizes that "(a)dequate streamflow throughout the year is necessary for the maintenance of aquatic life in the coastal streams." Finding 45. Lakes and streams in the area are also important to recreational use in the basin, a use which is a major contributor to the economy of the South Coast Basin. Program Finding 39, 40. Surface waters also contributes to wetlands which are critical to the ecological integrity of the area.

The state and federal Endangered Species Acts also place a burden on the Commission. Under the state Act, the Commission is required to consult with the Oregon Department of Fish and Wildlife to ensure that any action taken by the Commission is consistent with ODFW programs to conserve the species or, if no plan is in place, that the act will not "reduce the likelihood of the survival of recovery of the threatened species of endangered species." ORS 496.182(2). The federal Act prohibits the "taking" of endangered species. 16 USCA § 1538(a)(1)(B). Taking is defined in Section (3)(18) includes "harm" as well as killing and capturing. 16 USCA § 1532 (19). The regulatory definition of "harm" includes "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering." 50 CFR § 17.3. Thus it is clear that actions by the Commission can rise to the level of an unpermitted taking of a species if habitat destruction or modification harms a listed species. See Palilia v. Hawaii Department of Land and Natural Resources, 649 F.Supp. 1070 (D. Hawaii 1986), aff'd, 852 F.2d 1106 (9th Cir. 1988). Significantly, the above referenced Palilia case, the oft-cited case on habitat alteration rising to the level of take involved a state agency allowing goats to destroy the food source of an endangered bird. Taking water from fish is at least as clear a causal connection.

These and other pending applications, both individually, and cumulatively, will deplete flows that currently provide habitat for the fish and wildlife mentioned above.

The proposed uses and storage projects will also adversely affect water quality in the system. The construction and operation of storage facilities can lead to increased turbidity in the water. The use of water for bogs and irrigation can result in pesticides and fertilizers being leached into the ground water and into the stream system. Allowing these uses to go forward, without analysis of the cumulative impacts of these uses and conditioning and/or denying these uses in order to protect these fish and wildlife values in contrary to Oregon policies which promote use within the capacity of the resource, require protection of instream flow needs and values, requires protection of fish, water quality, wetlands, and other public uses of water and call for integrated and coordinated water management. ORS 496.435, ORS 537.170(5), ORS 537.525, ORS 196.669, ORS 196.672, ORS 496.182, ORS 496.268, 16 USC 1538, OAR 690-11-195(4)(c)(A), (d), (e), (f), (h).

**2. Measurement and reporting.**

In general, we support the proposed measurement and reporting conditions. However, these conditions should allow the Director to require measurement and reporting of both **rate and duty** of water use. The proposed conditions restrict use based upon a specific rate. Measurement and reporting of water use is to be a useful informational and regulatory tool for the Department, it should provide the information needed to ensure these water uses are within the terms of the permits.

**3. The uses of surface water will impair the public interest because fish screening and passage facilities are not clearly mandatory conditions of use.**

The technical reports do not require mandatory fish screening and passage facilities prior to diversion and use of water. Given the critical status of fish populations in the this basin, the adverse impact diversions and dams have on fish habitat, screening and passage should clearly be required to be in place **before** any diversion or storage of water. In addition, failure to maintain screening and passage facilities must be grounds for shutting off water use. There should be a condition which **clearly** states these requirements.

**4. The proposed uses are contrary to Oregon policy.**

ORS 537.170(5)(a) and (c) require the Department to ensure that waters in the basin will be used and controlled for all purposes, not just consumptive purposes. The Statewide Instream Flow Protection Policy states that "(w)here streamflows have been depleted to the point that public uses have been impaired, methods to restore the flows

are to be developed and implemented." OAR 690-410-030(1). When considering applications for new water rights the agency is required to consider the needs of instream and out-of-stream uses and the need to develop streamflow restoration programs. OAR 690-410-030(2)(a). No such consideration has been done.

Moreover, Oregon's Groundwater Management Policy requires that "(i)nterference between groundwater uses and competing groundwater and surface water uses...be prevented and/or controlled to protect the water resource and existing rights." OAR 690-410-010(1) (emphasis added). The Policy also requires the State to manage groundwater and surface water conjunctively in order to protect the public's interest in the water resource and existing rights. OAR 690-410-01(2)(a). In addition, Oregon's Statewide Water Allocation Policy requires that groundwater use occur within the capacity of the resource and requires the State to protect Oregon's waters from overallocation by new uses of groundwater. OAR 690-410-070(1).

Critical to the protection of instream flows is knowing and controlling water use in the basin. These and other potential water users in the basin should be required to contribute to activities that enable the state to better manage and control the resource - such contributing funds for installation and maintenance of gauging stations in key locations.

The recent petitions for listing of coastal coho and steelhead populations makes the protection of instream flows even more important for achieving a balance. The protection of instream flow will help to achieve a balanced allocation of water between public instream and other uses in Basin and throughout the state.

Protection of instream water flow also furthers statewide policies, priorities and goals for streamflow restoration including those in OAR 690-11-030(1), 690-410-070, and 690-77-015. Providing streamflow protection for fish is also necessary in order to carry out the state policy of restoring native fish stocks. ORS 496.435. Thus, protection of the public interest requires denial of these applications.

#### **5. Groundwater conditions are inadequate to protect groundwater and surface water resources.**

The groundwater/hydrology staff found that there is potential for substantial interference for both the groundwater applications. Despite this the Department proposes the permits for issuance. The Department attempts to condition the proposed permits so as to protect the surface and groundwater resources, however, these conditions are inadequate for the following reasons:

- The conditions only require the applicant to limit or discontinue use if

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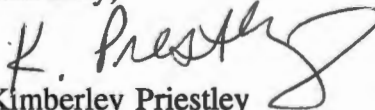
the use harms **prior** water rights. This condition places the burden on the resource which is unacceptable given the presence of weak fish stocks.

- Proposed permit conditions in the technical reports require a pump test prior to receiving a certificate. This condition makes no sense. A pump test provides information relating to hydraulic connection and other aquifer properties. This information is critical for the public interest determination and should be obtained prior to a final public interest determination. If, after this information is obtained, and it is determined that casing and sealing to that depth will in fact prevent interference, and the use is found to be in the public interest, this condition should be added to require periodic pump tests. The condition should not, however, limit the Director's ability to require pump tests. We suggest language that would require pump tests annually or more frequently as determined by the Director.

#### 6. Conservation Conditions are inadequate

Oregon statutes and rules call for the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). The proposed conditions do little to further these policies. These proposed uses should be held to a specific efficiency standard **prior to** any permit approval and the applicant should have an approved conservation plan in place and approved by the Department **prior to** any permit issuance.

Sincerely,

  
Kimberley Priestley  
Legal/Policy Analyst

**M. JOHN YOUNGQUIST**  
**WATER RESOURCES CONSULTANT**

827 SE MOSHER  
ROSEBURG, OREGON 97470  
PHONE/FAX: (503) 872-5892

PROJECT MANAGEMENT

PERMITS/LICENSING

RESEARCH

PLANNING

January 10, 1995

Oregon Water Resources Department  
158 12th Street, NE  
Salem, Oregon 97310

Attention: Dallas Miller, Water Rights Specialist  
Water Rights Division

Reference: File No. G 12658  
Objection to the Technical Review

Dear Mr. Miller:

In response to the Satisfactory report of Technical Review for Water Use Permit(s) applicable to application G 12658, the applicant objects to the permit conditions and technical review conclusions for the following reasons:


1. The restricted use is based on the presumption of the "potential to cause substantial" interference with surface water. Please provide the rationale that the applicants use would have the potential to cause substantial interference with surface water. The ground water sources are in excess of a ¼ mile from a surface water source, therefore, there should be minimal surface water interference, if any.

Please provide information leading to your conclusion that there is the potential to cause substantial interference with surface water.

2. The applicant is willing to reduce his rate of use to eliminate the potential for substantial interference. It would be helpful if the Department would indicate what level of ground water withdrawal is acceptable to remove the potential for substantial interference with surface water.
3. The Curry County Comprehensive Plan has designated cranberries as a "special" crop for Northern Curry County. It is in the public interest to encourage development of cranberries in this area in accordance with ORS 537.170 (5) (a,b,d and e).

If a full season supply cannot be approved by the Water Resources Department or if the applicant cannot discuss his application with Department staff, the applicant desires to participate in alternative dispute resolution (OAR 690-11-180) with the Department in an attempt to resolve the issues.

Yours truly,



M. John Youngquist  
for: Russell Fraser

TECHNICAL REVIEW CHECKLIST

FORM-71393

- (1) Application: 612658  
 (2) Review Date: 12/29/93

S Indicates information was completed or adequately addressed.  
 U Indicates information is needed, or incomplete, or inadequately addressed  
 N/A Indicates Not Applicable

SUMMARY	
<u>U</u>	Completeness <i>Fee, well log</i>
<u>S</u>	Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>S</u>	Conflicts
<u>S</u>	Water Availability

(3) S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

(4) S No oath is required because application was filed before June 5, 1992.

(5) U Application fees:

Examination fee:	\$ 200
Recording fee:	\$ 250
TOTAL REQUIRED	\$ 450
TOTAL SUBMITTED	\$ 400
AMOUNT DUE prior to issuance of permit	\$ 150
AMOUNT OVERPAID	\$
refund due applicant	\$

*AG = 3.95 EPS = 250*

(6) S Proposed dates of beginning and completion of construction, and complete application of water.

(7) S MAP: α Prepared by a CWRE  
 Exempt under OAR 690-11-150(3)  
 A map or drawing included (non-CWRE)  
 No map or drawing in file

- (8) S A CWRE map is not required for applications filed before November 9, 1987.
- (9) S A written copy of the legal description of the property on which the water is to be used.
- (10) N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) S IRR + AGR use(s) is/are classified uses(s) under the S. Coast Basin Program, OAR 690 - 517-00 (8)
- (14) U The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

- (15) As expressed by the Planning Department of Curry
- (16) S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 3.06).
- (17) N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- (18) N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

- (20) U A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) S The report from groundwater section has been received.

For reservoir applications:

- (22) N/A Plans, specifications and supporting information for the dam and impoundment area.

20877

4. REPORT CONCLUSIONS

The proposed water use, as conditioned, passed this technical review. The information contained in the application along with the supporting data submitted by the applicant indicate that the flow levels set out in this report are necessary to protect the public use.

The supporting data states that the recommended flows are necessary to meet the biological requirements for the passage, spawning, egg incubation and larval development and rearing of salmonids. Consideration of habitat type, stream depth and water velocity were considered by the applicant in development of the flow levels. (See *Determining Minimum Flow Requirements for Fish, ODFW Report January 20, 1984.*) The recommended flow volumes are necessary to ensure appropriate levels of dissolved oxygen, turbidity, pH and temperature.

The minimum flow requirements for adult fish only ensure that fish have physical freedom to move in the stream. Several times greater flow requirements are necessary to stimulate and maintain upstream migration of anadromous fish, including migratory freshwater trout. (See 1984 Report.) Although flows listed by the applicant in early reports indicated that the minimum flows for some streams seemed adequate for present fish populations, subsequent review of these flow recommendations caused the applicant to modify the original listing. (See *Fish and Wildlife Resources of the South Coast Basin, Oregon, and Their Water Requirements (Revised); April 1972.*)

Minimum stream flow recommendations developed from the 1969 survey are intended to provide enough suitable environment during appropriate seasons to perpetuate minimum desirable fish populations. Optimum flows set out in the 1972 report would more nearly maximize production. The applicant has stated that enhancement of production would require further evaluation. (See 1972 Report.)

5. PROPOSED CERTIFICATE CONDITIONS

[The following proposed conditions will apply to water use and will appear on the face of the certificate.]

- 1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st%	215	215	190	190	190	120	40	40	40	40	215	215
2nd%	215	190	190	190	190	120	40	40	40	215	215	215

- 2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
- 3. This instream right shall not have priority over human or livestock consumption.
- 4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.



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 SEP 20 1991

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses In Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Rodrick Fraser III  
 Address: Route 1 Box 1519  
 City: Bandon State: OR Zip: 97411 Day Phone: 503/347-2923

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

31-15-32; 800

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
1-75-524	Agric - Farm Dist. (AFD)	X	X	X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

**For Local Government Use Only**

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.061. Go to section b) on reverse side.  
CURRY CO. ZONING ORD.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)**

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: Rodrick Fraser III

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: Curry  
 Staff Contact: Rosalie Gaither for Loren Phone: 247-7011 x 285  
 Signature: Russell S. Fran Date of Information Request: 9/6/91

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: DIANNE SNOW  
Title: PLANNER

Date: 9/15/91  
Phone: 247-7011

Signature: Dianne L. Snow

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

AGRICULTURE IS AN OUBRIGHT USE  
ON THE SUBJECT PROPERTY.

RECEIVED

SEP 29 1991

### Description of Water Use

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Rodrick Fraser III  
 Address: Route 1 Box 1519  
Bandon, Oregon 97411  
 Phone: 503/347-2923

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): \_\_\_\_\_
- Livestock (type of livestock, feedlot, slaughterhouse): \_\_\_\_\_
- Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): CRANBERRY USE

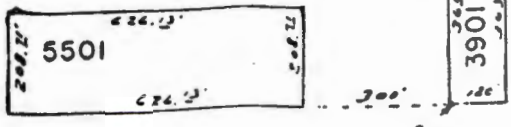
Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	<u>3.75</u> Cubic feet per second. <u>1683</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

PACIFIC

RECEIVED  
SEP 20 1916  
WATER RESOURCES DEPT.  
SALES

LAKE  
FLORAS

See Section 32  
1" = 400

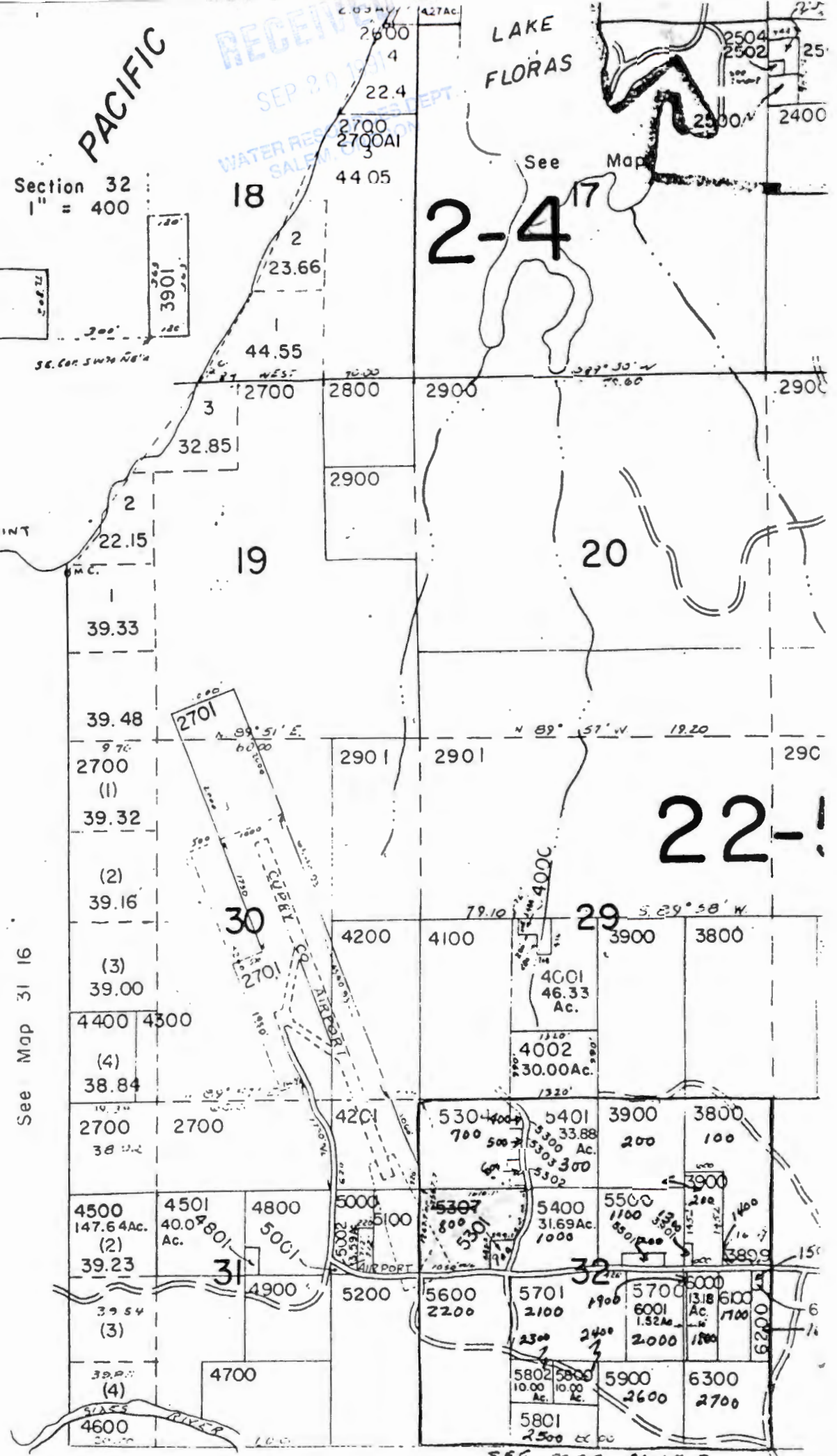


BLACKLOCK POINT

THIS SKETCH IS FOR LOCATION PURPOSES  
ONLY AND NO LIABILITY IS ASSUMED FOR  
ANY VARIATIONS DETERMINED BY SURVEY.

**OCEAN**  
Title and Escrow

See Map 31 16



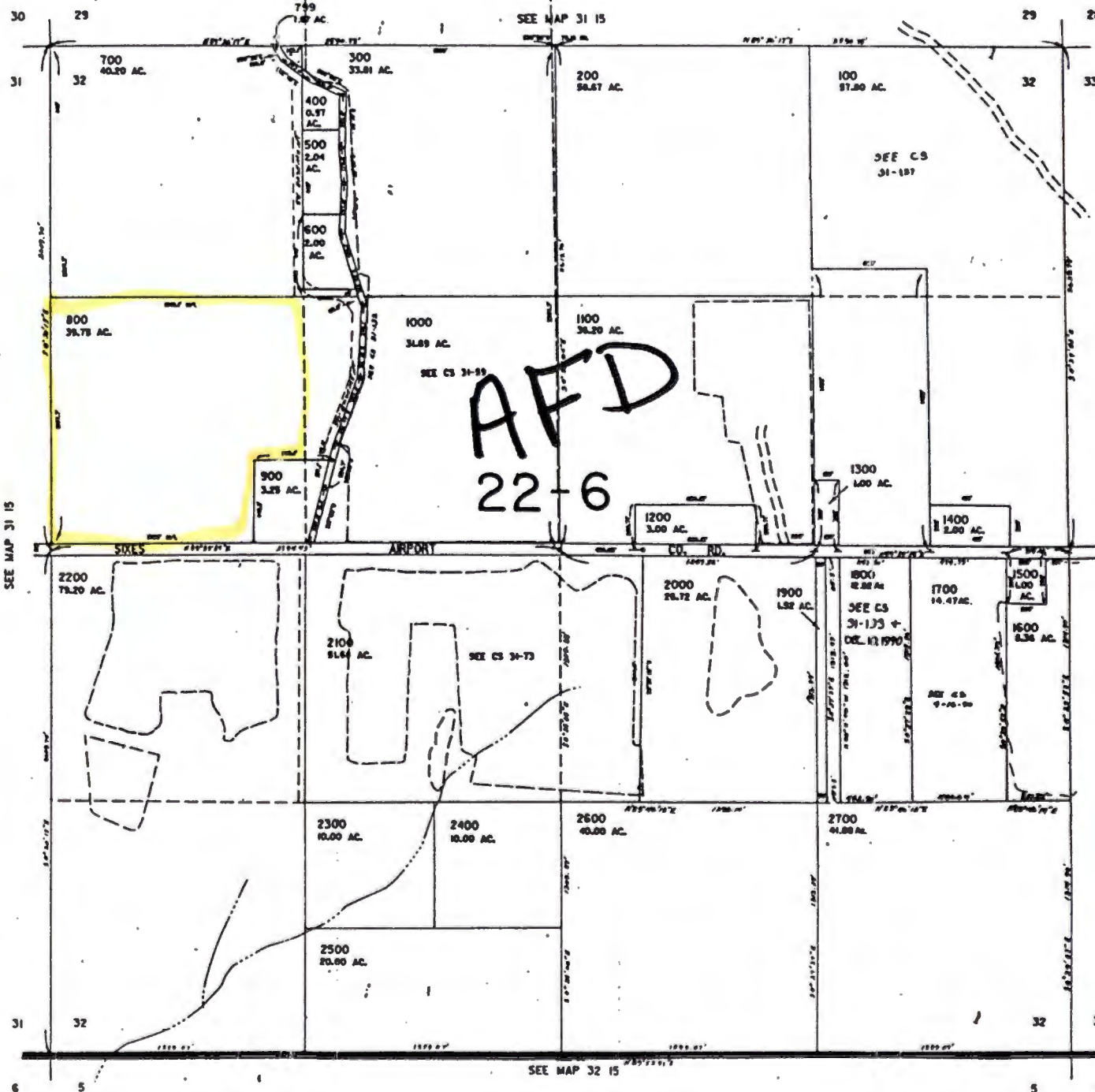
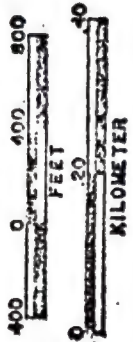
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 7 T.31S. R.15W. W.M.  
CURRY COUNTY

31 32

1" = 400'

SCALE 1:9600.



CANCELLED NO.  
1801

SEE MAP 31 15

SEE MAP 31 33

SEE MAP 32 15

RECEIVED  
MAY 09 1991  
DEPT. OF REVENUE STATE OF OHIO  
COLUMBUS & ATHENS, OH.

31-15-32

Permit No. \_\_\_\_\_  
 Land Use Information Form: Permits, Hydroelectric Licenses  
 Addition to Classified Uses

3115-32;

TL 800

AFD RECEIVED

This information is needed to determine compatibility with local comprehensives required by ORS 197.180. The Water Resources Department will use this a to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is diverted, conveyed, and/or used only on federal lands.

SEP 18 1991

Applicant's Name: Rodrick Fraser III  
 Address: Route 1 Box 1519  
 City: Bandon State: OR Zip: 97411 Day Phone: 503/347-2923

WATER RESOURCES DEPT. OREGON

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
1-75-524	Agric - Farm Dist. (AFD)	X	X	X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

**For Local Government Use Only**

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_ Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

**Receipt for Request for Land-Use Information**

WRD Applicant Name: Rodrick Fraser III

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: Curry

Staff Contact: A. Rosalie Cothran for Curry Phone: 257-7011 x 285

Signature: Timothy S. Jones Date of Information Request: 9/6/91

**Application No. G-12658**  
**Permit No.**

Planning Official Initials: \_\_\_\_\_

**Description of Water Use**

RECEIVED

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Rodrick Fraser III  
 Address: Route 1 Box 1519  
Bandon, Oregon 97411  
 Phone: 503/347-2923

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): \_\_\_\_\_
- Livestock (type of livestock, feedlot, slaughterhouse): \_\_\_\_\_
- Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): CRANBERRY USE

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____	<u>3.75</u> Cubic feet per second. <u>1683</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

February 24, 1992

RUSSELL FRASER  
RT 1, BOX 1519  
BANDON, OR 97411

REFERENCE FILES: 71976 et al

On November 27, 1991, we received a groundwater application for a permit to use water from two sumps for cranberry use, a surface water application for a permit to use water from an unnamed stream for supplemental cranberry use, two land use information forms, a legal description, and a note referring to your check numbers 1472 and 1473. These were submitted in behalf of Doug Richert.

Are these applications to supersede other applications?

It was our understanding that application 71976 was to be withdrawn. We have been holding action on these files pending the request in writing.

Sincerely,

Thomas E. Shook  
Water Right Specialist





RECEIVED

SEP 18 1991

WATER RESOURCES DEPT.  
SALEM, OREGON

OTE 91-0376

Application No. 6-12658  
Permit No.

EXHIBIT "A"

That certain tract of land lying in the Northwest quarter of Section 32, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon, described as follows: Beginning at an iron pipe driven on the North boundary of the Airport Road South 2587.7 feet from the Northwest corner of said Section 32; thence North 1267.7 feet, more or less, to the Northwest corner of the Southwest quarter of the Northwest quarter of said Section 32; thence East, along the North boundary of the Southwest quarter of the Northwest quarter and the Southeast quarter of the Northwest quarter of said Section 32, a distance of 1610.1 feet, more or less, to the center line of an existing road; thence following the center line of said road approximately as follows: South 16° 08' East 63.9 feet; thence South 03° 18' West 362.1 feet; thence South 21° 49' West 363.4 feet; thence South 13° 33' West 97.6 feet; thence leaving the center line of said road, West 399.1 feet to an iron pipe; thence South 442.2 feet, more or less, to an iron pipe driven on the North boundary of the Airport Road; thence West, following the North boundary of said road, 1050.0 feet, more or less, to the Point of Beginning.

Subject to:

1. Rights of the public in and to any portion lying within the limits of public roadways, if any, and/or rights of private parties over any portion lying within existing roadways or driveways not disclosed by the public records.
2. An easement for private road and underground utilities, as granted by instrument recorded August 12, 1987, in Volume 134, Page 937, Curry County Book of Records.
3. An easement for private road and underground utilities, as granted by instrument recorded December 22, 1987, in Volume 139, Page 410, Curry County Book of Records.

STATE OF OREGON }  
COUNTY OF CURRY } ss



I hereby certify that the within Instrument was received and duly recorded in the OFFICIAL RECORDS OF CURRY COUNTY:

By: M.O. Deputy

Fee: 35.00 Pgs: 2

1991 Instrument 91 03764

DRAFT

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RODRICK FRASER II  
ROUTE 1, BOX 1519  
BANDON, OREGON 97411

503-347-2923

to use the waters of 1 WELL AND 1 SUMP WELL in the SIXES RIVER BASIN for CRANBERRY OPERATIONS ON 25.0 ACRES.

This permit is issued approving Application G-12658. The date of priority is SEPTEMBER 18, 1991. The use is limited to not more than 3.75 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SW 1/4 NW 1/4, SECTION 32, T 31 S, R 15 W, W.M.; SUMP WELL - 2010 FEET SOUTH AND 160 FEET EAST, WELL - 1660 FEET SOUTH AND 140 FEET EAST, BOTH FROM NW CORNER, SECTION 32.

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

SW 1/4 NW 1/4 25.0 ACRES  
SECTION 32  
TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1993. Complete application of the water shall be made on or before October 1, 1994.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, .

---

Water Resources Department  
William H. Young  
Director

RECEIVED

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765) WATER RESOURCES DEPT.

FEB 27 1997 WELL I.D.# L07126

31-15-32

(START CARD)# 93106

Instructions for completing this report are on the reverse of this form.

(1) OWNER: Well Number 487 Name Rodrick Fraser Address 320 N. MANZANITA City Triana State CA Zip 94667

(2) TYPE OF WORK: [X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD: [ ] Rotary Air [X] Rotary Mud [ ] Cable [ ] Auger [ ] Other

(4) PROPOSED USE: [ ] Domestic [ ] Community [ ] Industrial [X] Irrigation [ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [ ] Yes [X] No Depth of Completed Well 62.5 ft. Explosives used [ ] Yes [X] No Type TBC Amount TBC

Table with columns: HOLE, SEAL, Diameter, From, To, Material, From, To, Quantity. Row 1: 12 1/4, 0, 64, Bentonite, 0, 26, 23.5k

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [X] Other Poured from Surface Backfill placed from 26 ft. to 64 ft. Material Gravel placed from 26 ft. to 64 ft. Size of gravel 6/9

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Rows for 8" casing and 8" liner.

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Row 1: 36 1/2, 51 1/2, 1/16, -, 8", Free

(8) WELL TESTS: Minimum testing time is 1 hour. [X] Pump [ ] Bailer [ ] Air [ ] Flowing Artesian. Yield gal/min 82, Drawdown 5, Drill stem at 35', Time 1 hr. Temperature of water 51° Depth Artesian Flow Found 26.25

(9) LOCATION OF WELL by legal description: County Curry Latitude Longitude Township 31 N or S Range 15 E of W.W.M. Section 32 SW 1/4 NW 1/4 Tax Lot 800 Lot Block Subdivision Street Address of Well (or nearest address) Airport Rd. SIXES DR

(10) STATIC WATER LEVEL: 6'4" ft. below land surface. Date 2/24/97 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 6'4", 51, +/-700 GPM, 6'4". Specific Capacity 16.4 gal/FT of DD

(12) WELL LOG: Table with columns: Material, From, To, SWL. Rows: Topsoil (0-2), Sand w/ Sandy Clay Brack (2-6), Sandy Clay White (6-8), Sand w/ Peat mass (8-12), Gravel Fine-med w/ (12-18), Sand CRS-Fine Gray Brack (18-19), Gravel CRS-Fine w/ Sand (18-19), CRS-Fine Gray + Wood (19-35), Gravel CRS-Fine w/ Sand (19-35), Coarse-Fine Gray (35-50), Gravel CRS-Fine Gray (35-50), w/ Shell + Sand CRS-Fine (50-62), Wood w/ sandy clay (50-62), Gray + Gravel CRS-Fine

Date started 2/10/97 Completed 2/24/97

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. Signed Bendon Wells & Pumps Co. WWC Number Date

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief. Signed Jim Madala MWC WWC Number 1493 Date 2/25/97

3

I/We certify that the information I have provided in application # G-12658 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Rodriguez A PRASHA J OWNER 8.28.95

Name Title Date

Name Title Date

Name Title Date

Name Title Date

RECEIVED

SEP 05 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

(2)

WATER  
RESOURCES  
DEPARTMENT

August 14, 1995

Rodrick Fraser II  
Rt 1 Box 1519  
Bandon, OR 97411

RE: Application # G-12658

Dear Rodrick,

The Water Resources Department is currently reviewing your application for water use. Preliminary review indicates the following items were not included with your application:

- ▶ Sign and return the enclosed oath.

In order to expedite the processing of your application, we request that you submit these items by August 30, 1995. We have enclosed a stamped envelope for your use.

Should you have any questions regarding your application or the required materials listed above, please call me personally at 1-800-624-3199 extension 256.

Sincerely,



Dick Bailey, Manager  
Completeness Team

enclosure

cc: general correspondence

**RECEIVED**

SEP 05 1995

WATER RESOURCES DEPT.  
SALEM, OREGON



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

WATER AVAILABILITY TABLE

Basin: South Coast

Water Availability Subbasin: 2200000000000000 (and Nested Subbasins)

Exceedance Level: 50

Time: 11:39

Date: 11/04/1994

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	2200000000000000	YES	YES	YES	YES	NO	NO	YES	NO	NO	NO	YES	YES	YES

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 2200000000000000

Basin: South Coast

Exceedance Level: 50

Time: 11:39

Date: 11/04/1994

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	2200000000000000	SIXES R	YES	527.0
2	2200000000000000	SIXES R	YES	654.0
3	2200000000000000	SIXES R	YES	590.0
4	2200000000000000	SIXES R	YES	253.0
5	2200000000000000	SIXES R	NO	-39.0
6	2200000000000000	SIXES R	NO	-7.0
7	2200000000000000	SIXES R	YES	16.1
8	2200000000000000	SIXES R	NO	-6.2
9	2200000000000000	SIXES R	NO	-18.9
10	2200000000000000	SIXES R	NO	-181.0
11	2200000000000000	SIXES R	YES	127.0
12	2200000000000000	SIXES R	YES	570.0
Stor	2200000000000000	SIXES R	YES	164000.0



DETAILED REPORT ON WATER AVAILABILITY

Basin: South Coast

Stream: SIXES R

> PACIFIC OCEAN

Water Availability Subbasin: 2200000000000000

Exceedance Level: 50

Time: 11:40

Date: 11/04/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	744.00	0.00	744.00	2.26	742.00	215.00	527.00
2	871.00	0.00	871.00	2.29	869.00	215.00	654.00
3	782.00	0.00	782.00	2.25	780.00	190.00	590.00
4	445.00	0.00	445.00	2.18	443.00	190.00	253.00
5	152.00	1.00	151.00	0.00	151.00	190.00	-39.00
6	115.00	2.00	113.00	0.00	113.00	120.00	-7.00
7	61.60	3.40	58.20	2.11	56.10	40.00	16.10
8	36.60	2.80	33.80	0.00	33.80	40.00	-6.21
9	22.30	1.20	21.10	0.00	21.10	40.00	-18.90
10	34.00	0.20	33.80	0.00	34.00	215.00	-181.00
11	344.00	0.00	344.00	2.11	342.00	215.00	127.00
12	787.00	0.00	787.00	2.28	785.00	215.00	570.00
Stor	263000	635	263000	928	277000	113000	164000

DETAILED REPORT OF ISWRs

Basin: South Coast

Stream: SIXES R

> PACIFIC OCEAN

Water Availability Subbasin: 2200000000000000

Time: 11:40

Date: 11/04/1994

		-----ISWRs-----					RESULTANT
APP # :	421A	70877A	0	0	0		
STATUS:	CertificateApplication						
1	215.0	215.0	0.0	0.0	0.0	215.0	C
2	215.0	215.0	0.0	0.0	0.0	215.0	C
3	190.0	190.0	0.0	0.0	0.0	190.0	C
4	190.0	190.0	0.0	0.0	0.0	190.0	C
5	190.0	190.0	0.0	0.0	0.0	190.0	C
6	120.0	120.0	0.0	0.0	0.0	120.0	C
7	40.0	40.0	0.0	0.0	0.0	40.0	C
8	25.0	40.0	0.0	0.0	0.0	40.0	A
9	25.0	40.0	0.0	0.0	0.0	40.0	A
10	215.0	215.0	0.0	0.0	0.0	215.0	C
11	215.0	215.0	0.0	0.0	0.0	215.0	C
12	215.0	215.0	0.0	0.0	0.0	215.0	C

# Application No. G-12658

## Permit No.

TOWNSHIP 31 S RANGE 15 W W. M. Card #1 SECTION 32

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																			
																	23609	18644	CANCELLED
																	GR-3377	GR-3121	1
																	43592	32671	37550
																	R-45820	R-5433	42396
																	45821	34192	42397
																	R-46225	R-5500	42478
																	46226	34536	42479
																	17013	35172	56090
																	G-10009	G-9136	
																	R-64419	R-8604	64874
																	64420	47420	64875
																	64420	47420	64875

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 31 S RANGE 15 W W. M. Card #2 SECTION 32

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																			
																	G-10867	G-10027	64873
																	G-10867	G-10027	64873
																	67992	48310	2
																	67992	48310	
																	B-12290	G-41295	
																	G-12658		

22000

# IMPORTANT MESSAGE

FOR WR, 9/9/95

DATE 11-9 TIME \_\_\_\_\_ A.M.  
P.M.

M Justin Potter

OF \_\_\_\_\_

PHONE 332-0745

AREA CODE

NUMBER

EXTENSION

FAX

MOBILE \_\_\_\_\_

AREA CODE

NUMBER

TIME TO CALL

TELEPHONED		PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		WILL FAX TO YOU	

MESSAGE Technical review

needs copy of  
app 12658

Box 223

*sent TR &  
11056 It's 11/95*

Port Orford 97465 *JA*

SIGNED



098

Transfer No. 6724

County DOUGLAS

Name DENNIS JACOBS

Date for Completion 10-1-98

Extended to \_\_\_\_\_

Completion Report Received \_\_\_\_\_

To Survey \_\_\_\_\_

Comments:

IFPD

G12658

7710-99 DM

Application No. G12658  
Permit No. G12195

Name RODRICK FRASER II  
RT 1 BOX 1519 - N  
Address BANDON, OR 97411

Assigned .....

Address .....

Beginning construction 10-96

Completion of construction 10-1-97

Extended to .....

Complete application of water 10-1-98

Extended to .....

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **129709**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Hawk Fields  
BY: \_\_\_\_\_

APPLICATION	<u>12658</u>
PERMIT	
TRANSFER	

CASH:  CHECK: # 9628 OTHER: (IDENTIFY)

TOTAL REC'D \$ 50.00

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

_____	CASH ACCT.	\$
_____	VOUCHER #	\$

**03-00-0 WRD OPERATING ACCT**

MISCELLANEOUS		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:		EXAM FEE	RECORD FEE
842.001	SURFACE WATER	\$	842.002 \$
842.003	GROUND WATER	\$	842.004 \$ <u>50</u>
842.005	TRANSFER	\$	842-006 \$
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023 \$
_____	LANDOWNER'S PERMIT		842.024 \$
_____	OTHER (IDENTIFY)		

**06-00-0 WELL CONST. START FEE**

842.013	WELL CONST START FEE	\$	CARD #
_____	MONITORING WELLS	\$	CARD #
_____	OTHER (IDENTIFY)		

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
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**07-00-0 HYDRO ACTIVITY**

	LIC NUMBER	
842.011	POWER LICENSE FEE (FW/WRD)	\$
842.115	HYDRO LICENSE FEE (FW/WRD)	\$
_____	HYDRO APPLICATION	\$

RECEIPT # **129709**

DATED: 10-25-95

BY: D. P. ...



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **15944**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Hawk Fields  
BY: R + P Fraser

APPLICATION	912658
PERMIT	912195
TRANSFER	

CASH:  CHECK: # 96292 OTHER: (IDENTIFY)

**TOTAL REC'D** \$ 100.

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT. \$

PCA AND OBJECT CLASS VOUCHER #

**0427 WRD OPERATING ACCT**

PCA 66111

0407 MISCELLANEOUS	\$
0410 COPY & TAPE FEES	\$
0408 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$ <u>100.</u>
New) TC165 DEPOSIT LIAB. (IDENTIFY)	\$

Extension

Existing) TC168

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
0218 WELL CONSTRUCTION	EXAM FEE	0219	LICENSE FEE
WELL DRILL CONSTRUCTOR	\$	0220	\$
LANDOWNER'S PERMIT			

OTHER (IDENTIFY)

**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #

OTHER (IDENTIFY)

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS	\$
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**0467 HYDRO ACTIVITY**

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **15944**

DATED: 9-18-97 BY: D. Bushnell

NUMBER 86104

Check 400 00 NO \_\_\_\_\_ Cash \_\_\_\_\_

\_\_\_\_\_ Surface Application \$ 200 / 200  
\_\_\_\_\_ Reservoir Application

Ground Water Application

\_\_\_\_\_ Transfer Application

\_\_\_\_\_ Power Claim

\_\_\_\_\_ Hydroelectric Examination

\_\_\_\_\_ Hydroelectric License

\_\_\_\_\_ Copying

\_\_\_\_\_ Assignment

\_\_\_\_\_ Extension of Time

\_\_\_\_\_ Other

\_\_\_\_\_ P-6

\_\_\_\_\_ Quadrangle

\_\_\_\_\_ Basin

\_\_\_\_\_ Protest

\_\_\_\_\_ Constructors Examination

\_\_\_\_\_ Constructors License

\_\_\_\_\_ Adjudication

NUMBER 03352

Check 50<sup>00</sup> NO \_\_\_\_\_ Cash \_\_\_\_\_

\_\_\_\_ Surface Application ...

\_\_\_\_ Reservoir Application ...

Ground Water Application

\_\_\_\_ Transfer Application

\_\_\_\_ Power Claim

\_\_\_\_ Hydroelectric Examination

\_\_\_\_ Hydroelectric License

\_\_\_\_ Copying

\_\_\_\_ Assignment

\_\_\_\_ Extension of Time

\_\_\_\_ Other

\_\_\_\_ P-6

\_\_\_\_ Quadrangle

\_\_\_\_ Basin

\_\_\_\_ Protest

\_\_\_\_ Constructors Examination

\_\_\_\_ Constructors License

\_\_\_\_ Adjudication

0  
50

Doug B.